



city of newport beach

## CITY MANAGER'S QUARTERLY BUSINESS REPORT

july - september 2012







# TABLE OF CONTENTS

## QUARTERLY FINANCIAL REPORT

- 1 Executive Summary
- 2 Market Update
- 2 Top “3” Revenues
- 6 Other Financial News

## BOARDS & COMMISSIONS

- 13 Board of Library Trustees
- 14 Building & Fire Board of Appeals
- 15 City Arts Commission
- 16 Civil Service Board
- 17 Harbor Commission
- 18 Parks, Beaches & Recreation Commission
- 19 Planning Commission

## COUNCIL COMMITTEES

- 20 Finance Committee

## CITIZENS ADVISORY COMMITTEES

- 21 Citizens Bicycle Safety Committee
- 22 Coastal/Bay Water Quality Citizens Advisory Committee
- 23 Environmental Quality Affairs Citizens Advisory Committee
- 24 Newport Coast Advisory Committee
- 25 Special Events Advisory Committee

## COUNCIL-CITIZEN AD HOC COMMITTEES

- 26 Aviation Committee
- 27 General Plan/Local Coastal Program Implementation
- 28 July 4th West Newport Safety Planning Committee
- 29 Neighborhood Revitalization Committee
- 30 Tidelands Management Committee
- 31 Updating Harbor Charges

## QUARTERLY PROJECT REPORTS

- 34 Civic Center & Park Construction
- 36 Existing City Hall Complex Re-use
- 38 Fire Rings
- 40 Group Residential Uses
- 42 Implement Traffic Management Plan
- 44 Lower Bay Dredging Project
- 46 Marina Park
- 48 Newport Banning Ranch
- 50 Reduce Fire Hazard in Buck Gully
- 52 Relinquishment of Newport Boulevard
- 54 Rev Priority Area: Balboa Village
- 56 Sunset Ridge Park
- 58 Transportation Fair Share Fee
- 60 West Newport Beach Facility Planning
- 62 Widen Jamboree in the Airport Area





# Quarterly Financial Report

city of newport beach | finance department

newportbeachca.gov | 949.644.3127

quarter ending september 30, 2012

## EXECUTIVE SUMMARY

The City of Newport Beach Finance Department prepares quarterly financial reports for the City Council to review the status of revenues and expenditures for the City's funds. This quarterly financial report contains information on resources and expenditures for the first quarter of the fiscal year, which is the period between July 1, 2012, and September 30, 2012. Revenue categories and current expenditures are thus far performing within expected levels. The City has an ambitious agenda driven by its desire to revitalize many areas. However, there are significant financial commitments on the horizon that will require us to assess our ability to pursue these goals while maintaining a balanced budget. These financial commitments include escalating retirement costs, obligations to the Tideland Improvement Master Plan, costs associated with the move to the new Civic Center, and other Facilities Replacement Plan projects.

Economic growth is expected to increase at a slow but steady pace over the next few years. Newport Beach has several attributes that have historically supported strong economic growth and financial sustainability. Going forward these core strengths will provide a firm base for continuing expansion. In summary, our forecast maintains a cautiously optimistic outlook for the near term and we will reassess our assumptions as conditions improve.



# Market Update

The current U.S. outlook calls for continued gradual economic improvement for the remainder of this year and through 2013. Job creation has remained steady for the last 28 months and unemployment is expected to continue its decline. Currently, the U.S. markets are on a pace that will produce at least 2.3 million jobs in 2013, with unemployment estimated to not fall below 8 percent until 2014. Gross Domestic Product (GDP) is forecasted to grow moderately at 2.1 percent by the end of 2012 and 1.8 percent in 2013, accelerating to nearly 3 percent in 2014.

Orange County's economy is moving beyond "recovery" and has several attributes that have historically supported strong economic growth including its universities, high tech industries and the pull of tourist attractions. Some of Newport Beach's most vital employment sectors including leisure and hospitality, information technology, and professional and business services have shown the most secure job growth in California during the recovery period. Economists predict that growth will accelerate for the remainder of this and next year with the local economy adding jobs at a slow but steady rate. However, a generally conservative outlook is warranted at this early phase of the recovery.

According to economists, Orange County needs to generate about 15,000 new jobs just to keep unemployment in check. With new graduates entering the workforce, about 15,000 jobs are needed just to absorb them. Moreover, there is the looming prospect that the combination of higher federal taxes and spending cuts set for next year, otherwise known as the "fiscal cliff," might reduce GDP by as much as four percentage points.

## Top "3" Revenues

The General Fund's top three revenue sources (Property Tax, Sales Tax, and Transient Occupancy Taxes) account for 74 percent of General Fund revenues. Certain revenues lag during the first quarter as they are received in large part during December and April of each fiscal year. Therefore, first quarter results are not indicative of annual performance. With 25 percent of the year complete, General Fund revenues are at 13 percent of projections.

### PROPERTY TAX

Overall, the City has received \$2.1 million, or 3 percent, of its budgeted property taxes through the end of the first quarter. Secured property taxes are recorded as they are remitted, in large part, during December and April of each year. The City realized a 3.4 percent and 2.7 percent year-over-year increase in its property tax charge (levy) and assessed valuation, respectively, and will most likely meet its budget projections if delinquencies do not exceed 3.5 percent. The timing of property tax distributions from the County are often unpredictable and vary year to year. First quarter results are thus not indicative of expected budget performance at year end.

Property Tax Category	Amended Budget	YTD Actual	Percent Realized	Prior Year YTD Actual	Inc/Dec from PY
	2012/13	2012/13	2012/13	2011/12	
Secured Property Tax	\$60,263,000	\$0	0%	\$0	0%
Unsecured Property Tax	\$2,400,000	\$1,487,854	62%	\$1,818,176	-22%
Prior Year Taxes, Penalties & Interest	\$1,300,000	\$343,570	26%	\$411,923	-20%
Supplemental Taxes	\$725,000	\$95,383	13%	\$39,415	59%
All Other Property Taxes	\$8,396,311	\$155,024	2%	\$127,752	18%
<b>TOTAL</b>	<b>\$73,084,311</b>	<b>\$2,081,831</b>	<b>3%</b>	<b>\$2,397,266</b>	<b>-15%</b>

## SALES TAXES

Businesses collecting sales and use taxes periodically remit the amount collected to the State Board of Equalization (BOE). To compensate for the lag time between the sales period and the time the tax is remitted to the City, each quarter the BOE advances sales tax collections based on BOE estimate of economic activity. The amount of sales realized in the first quarter represents one advance payment from the BOE. A comparison of sales and use tax performance from the prior year reveals that the City realized an 8 percent increase on the advance on a quarter-over-quarter basis.

<b>Sales Tax</b>	<b>Amended Budget 2012/13</b>	<b>YTD Actual 2012/13</b>	<b>Percent Realized 2012/13</b>	<b>Prior Year YTD Actual 2011/12</b>	<b>Inc/Dec from PY</b>
Sales and Use Tax	\$20,631,629	\$1,455,000	7%	\$1,340,600	8%
Property Tax in Lieu of Sales Tax	\$6,613,750	\$0	0%	\$0	0%
<b>TOTAL</b>	<b>\$27,245,379</b>	<b>\$1,455,000</b>	<b>5%</b>	<b>\$1,340,600</b>	<b>8%</b>

Overall, sales tax receipts are trending upward. There are six main categories of sales tax including transportation, retail, food products, business to business, miscellaneous, and construction. The table below indicates that the City has seen an increase in most categories from the prior year.

<b>Sales Tax Category</b>	<b>% of Total Sales Tax</b>	<b>2012 Q2</b>	<b>2011 Q2</b>	<b>Inc/Dec from PY</b>
Transportation	27.4%	6,832,128	6,230,170	10%
General Retail	26.9%	6,689,208	6,088,279	10%
Food Products	25.0%	6,217,472	5,763,729	8%
Business to Business	18.6%	4,628,530	4,365,920	6%
Miscellaneous	1.2%	288,465	302,971	-5%
Construction	1.0%	238,919	247,350	-3%
<b>Total</b>	<b>100%</b>	<b>\$24,894,722</b>	<b>\$22,998,421</b>	<b>8%</b>

Within the transportation sales tax category, new auto sales, which accounts for 19.9 percent of all sales tax, increased 13 percent from the prior year. The food products category, which includes restaurants, represents 21.1 percent of all sales tax and increased 4 percent from the prior year.

## TRANSIENT OCCUPANCY TAXES

The City has received \$6 million, or 41 percent, of its budgeted Transient Occupancy Taxes (TOT) through the end of the first quarter. TOT collections have increased \$473,000 or 8 percent year-over-year. This increase is due to increases in occupancy rates in 16 of the City's 20 hotels, motels, cottages, and resorts and a generally improving travel and tourism business sector.

	<b>Amended Budget 2012/13</b>	<b>YTD Actual 2012/13</b>	<b>Percent Realized 2012/13</b>	<b>Prior Year YTD Actual 2011/12</b>	<b>Inc/Dec from PY</b>
Transient Occupancy Taxes	\$14,390,157	\$5,961,609	41%	\$5,488,928	8%



## GENERAL AND TIDELANDS FUNDS EXPENDITURES BY DEPARTMENT

With expenditures at 23 percent of the amended budget, the General Fund is generally on-track and consistent with the prior year. The table below summarizes General Fund expenditures by department through September 30, 2012.

FY 2012-13

Department	Amended Budget	Thru Period 3 (Sept 30, 2012)	Variance	Percent Expended
City Council	1,003,776	228,915	774,861	23%
City Clerk	714,950	166,751	548,199	23%
City Manager	2,552,454	533,589	2,018,865	21%
Human Resources	2,671,730	543,243	2,128,486	20%
City Attorney	2,307,853	406,058	1,901,795	18%
Finance	6,849,050	1,611,583	5,237,467	24%
Police	42,111,038	10,824,844	31,286,194	26%
Fire	35,838,400	10,332,415	25,505,985	29%
Planning	8,656,647	2,084,831	6,571,817	24%
MOD	22,954,701	5,096,701	17,858,000	22%
Library	6,991,358	1,858,687	5,132,671	27%
Recreation	8,944,116	2,622,546	6,321,571	29%
Public Works	8,402,854	1,713,091	6,689,764	20%
Electrical	1,725,671	376,619	1,349,052	22%
C.I.P.	10,605,613	850,822	9,754,791	8%
OPEB	2,466,000	-	2,466,000	0%
FFP	4,676,143	-	4,676,143	0%
Debt Service	-	-	-	-
<b>Total</b>	<b>\$169,472,355</b>	<b>\$39,250,694</b>	<b>\$130,221,662</b>	<b>23%</b>

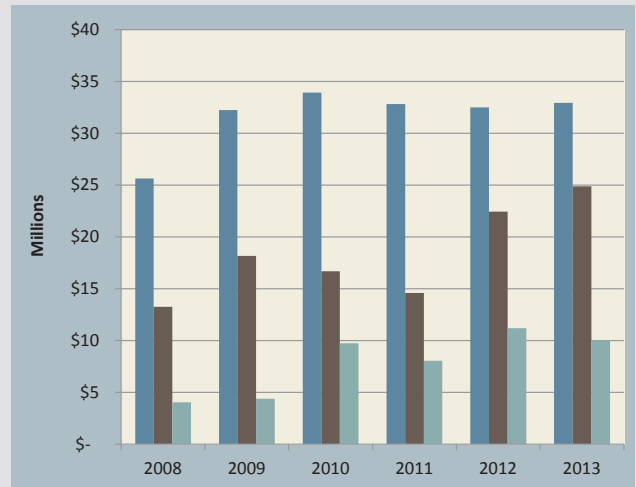
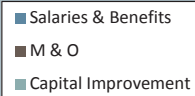
FY 2011-12

Department	Amended Budget	Thru Period 3 (Sept 30, 2011)	Variance	Percent Expended	Inc/Dec from PY
City Council	1,137,377	165,365	972,012	15%	38%
City Clerk	546,465	151,959	394,506	28%	10%
City Manager	1,944,483	422,320	1,522,163	22%	26%
Human Resources	2,397,667	457,984	1,939,683	19%	19%
City Attorney	2,302,827	435,801	1,867,027	19%	-7%
Finance	6,928,312	1,637,981	5,290,331	24%	-2%
Police	41,817,471	11,069,718	30,747,753	26%	-2%
Fire	34,619,298	9,916,006	24,703,292	29%	4%
Planning	9,180,344	2,232,861	6,947,483	24%	-7%
MOD	22,411,102	4,836,110	17,574,991	22%	5%
Library	6,916,001	1,864,080	5,051,921	27%	0%
Recreation	8,492,156	2,530,208	5,961,948	30%	4%
Public Works	7,520,084	1,737,009	5,783,075	23%	-1%
Electrical	1,791,785	331,659	1,460,126	19%	14%
C.I.P.	12,289,841	1,782,615	10,507,226	15%	-52%
OPEB	2,314,000	-	2,314,000	0%	-
FFP	4,016,812	-	4,016,812	0%	-
Debt Service	1,551,057	-	1,551,057	0%	-
<b>Total</b>	<b>\$168,177,080</b>	<b>\$39,571,674</b>	<b>\$128,605,406</b>	<b>24%</b>	<b>-1%</b>

## EXPENDITURE TRENDS

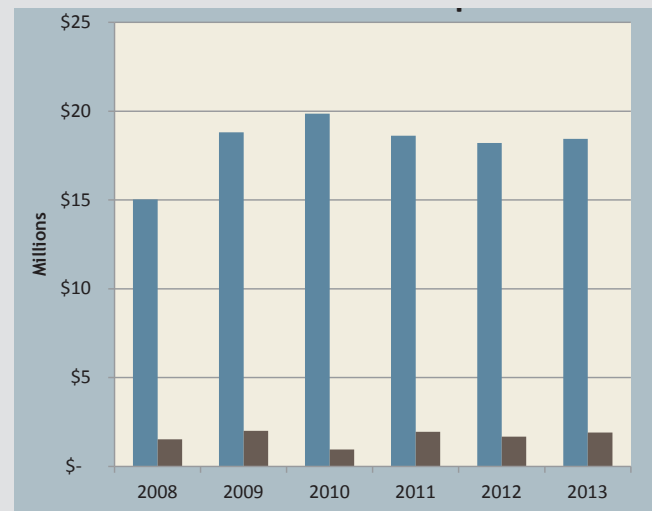
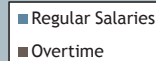
### Expenditure Trends-All Funds

First quarter FY 2012-13 expenditure categories including salaries and benefits, maintenance and operation, and capital improvements are generally consistent with the prior year. When compared to this same time last year, maintenance and operation expenditures are higher due to certain expenditures being recorded one month earlier.



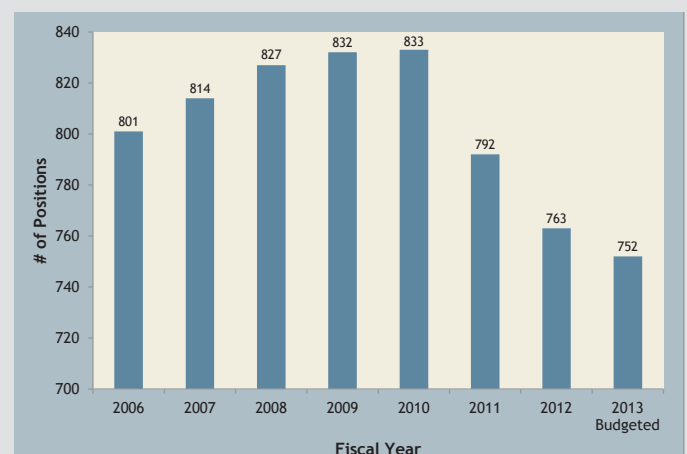
### Salaries & Overtime Comparison

The chart on the right compares how the first quarter salary and overtime expenditures have changed over time since FY 2007-08. Fiscal year 2012-13 expenditures are generally consistent with the prior year. Overtime expenditures have remained generally flat while full-time positions have declined since fiscal year 2009-10.



### Full Time Positions Trend

The chart on the right depicts the City's ongoing efforts at reducing full-time positions to mitigate the impact of rising pension costs and the need to invest in City infrastructure.



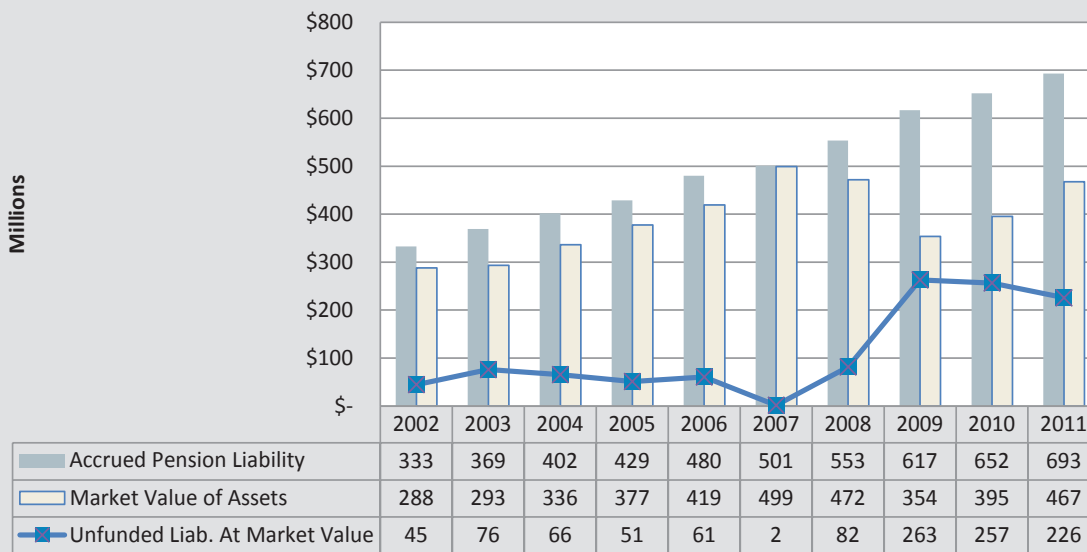
# Other Financial News

## PENSION COST QUESTIONS AND ANSWERS

### *Why are pension costs increasing?*

Very simply, the accrued pension liabilities continue to exceed assets set aside to fund the projected benefit obligations. And, while the City has always funded 100 percent of the actuarial determined pension contribution, the market value of pension assets has been quite volatile. The combined effect is that the unfunded liability increased to a high of \$263 million in 2009, but is still \$226 million as of the last actuarial valuation dated June 30, 2011. Since the unfunded pension liability has risen dramatically over the last several years, so too have the annual pension costs.

Unfunded Pension Liability at Market Value



### *Can pension benefits be further reduced?*

Yes, however federal pension regulations only allow benefit reductions to be implemented on a prospective basis and therefore, such reductions can take decades to unwind.

### *Can the City terminate the Pension Plan altogether?*

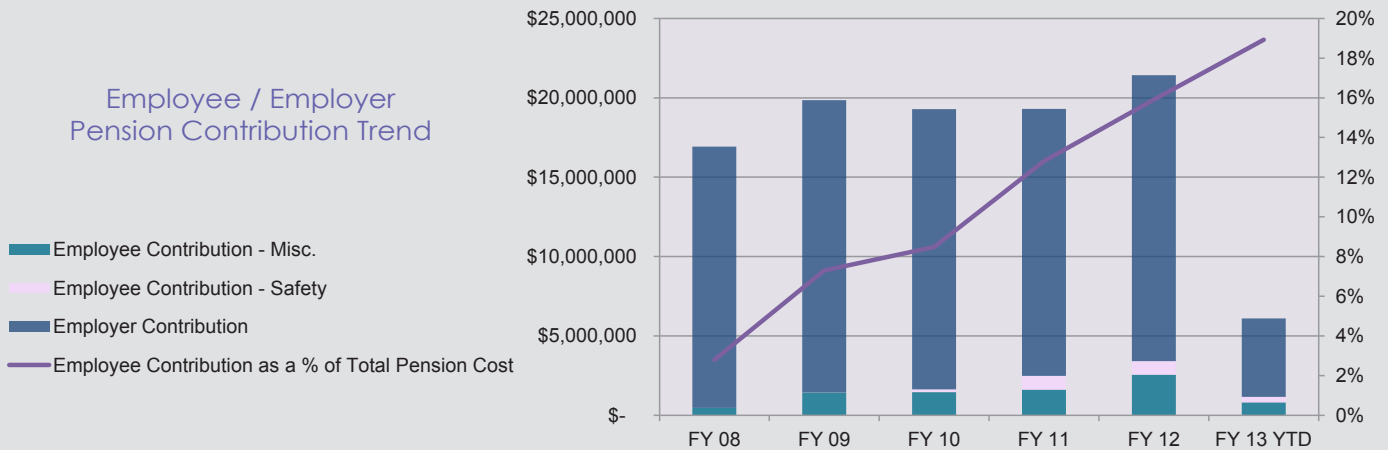
Yes, but the legislatively defined plan termination costs are very high.



### What has the City done to control pension costs?

The City has reached agreement with employee associations to reduce benefits including creating a second lower tier. While second tier benefits will take many years to have a meaningful impact on the accrued pension liability, employee associations have also agreed to cost sharing agreements where employees contribute as much as 9 percent of their salary to the existing pension obligation. Cost sharing provides the City an immediate cash infusion relieving some of the existing pension burden.

Employee / Employer  
Pension Contribution Trend

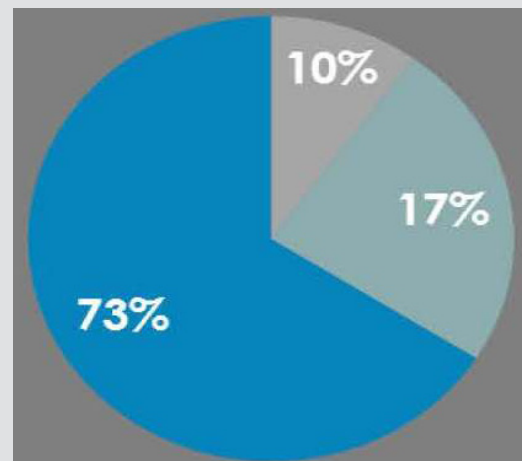


### What caused the significant unfunded pension liability (difference between pension assets and accrued pension liabilities)?

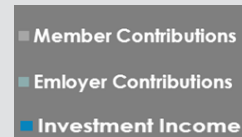
There are a number of factors including 1) dramatic volatility in the equities market resulted in investment returns falling short of expectations; 2) when market returns were strong, many public entities including Newport Beach, increased pension benefits; 3) people are generally living longer than actuaries originally projected; and 4) expectations for future investment returns have been reduced by actuaries reflecting the belief that pension assets will grow more slowly.

This last point is significant since approximately 73 percent of pension funding is expected to come from investment earnings according to the National Conference of Public Employee Retirement Systems (NCPERS). Expectations for future investment returns have been ratcheted downward. Therefore, required pension contributions are increasing. CalPERS has revised the investments earnings rate down from 7.75 percent to 7.5 percent and may consider a further decrease of 0.25 percent in the next year.

Income Used to Fund Pension Programs



Source 2012 NCPERS Public Fund Study



### How will the Governor's Public Employee Pension Reform Act of 2013 (PEPRA) impact the City?

PEPRA will create a third tier of lower benefits but is not applicable to employees transferring from other CalPERS agencies unless they have been separated from service for more than six months. Among other provisions, the most significant pension reform measures impacting the City are: (1) reduced retirement formula and increased retirement ages; (2) a cost sharing of 50% annual "normal cost" by all members; (3) anti-spiking provisions; and (4) pensionable compensation and limitations. The provisions of PEPRA will take many years to have a meaningful impact on the accrued pension liability.

The sharing of normal cost applies to both current and new members. PEPRA states that beginning January 1, 2018 the employer may unilaterally require employees to pay 50% of the total annual normal cost up to an 8% contribution rate for miscellaneous employees and an 11%-12% contribution rate for safety employees.

A summary comparison of the pension provisions are as follows:

Employee Group	Legacy Plan Tier 1 (Current Formula)	City Initiative Tier 2	Governor's Initiative Tier 3 (PEPRA Formula)
Miscellaneous	2.5% @ 55	2% @ 60	2% @ 62
Police Safety	3.0% @ 50	3% @ 55	2.7% @ 57
Fire Safety	3.0% @ 50	2% @ 50	2.7% @ 57
Lifeguards	3.0% @ 50	2% @ 50	2.7% @ 57
Member Definition	All City employees hired on or before date of 2nd tier implementation date	1) New employees hired after 2nd tier implementation date and December 31, 2012 2) Employees within the PERS system hired after January 1, 2013	1) New to the PERS System 2) Employees within the PERS system with >6 month break in service 3) Employees moving between retirement systems with >6 month break in service
Estimated Effective Date	Ends November 24, 2012	November 25, 2012	January 1, 2013
Compensation	Single Year Highest	Three -Year Final Average	Three -Year Final Average
Compensation Cap	NA	NA	\$132,120 for FY 12, CPI adjusted annually thereafter
Mandated Normal Cost sharing ■	NA	NA	Employees: > or = 50%
Effective date- Mandated Cost sharing	January 1, 2018	January 1, 2018	January 1, 2015

### ■ Estimates of Pension Contributions - 2008, 2012, 2014

Bargaining Unit or Classification	Percent of Salary Paid to Pensions in/at...		At end of current contract:	
	...2008	...end of Current Contracts (2012 or 2014)	Percent of Total Pension Costs paid by EE <sup>1</sup>	Est \$ Pension Contribution/ Year, Typical Employee <sup>1</sup>
Fire Rank-and-File (Sworn)	-	9.00	18.8%	\$ 9,173
Fire Rank-and-File (Civilian) <sup>4</sup>	3.42	8.00	32.0%	\$ 8,819
Fire Managers	-	9.00	18.8%	\$ 14,040
Permanent Lifeguards	-	9.00	18.8%	\$ 6,739
Police Rank-and-File (Sworn) <sup>5</sup>	-	12.10	25.2%	\$ 10,696
Police Rank-and-File (Civilian) <sup>4</sup>	3.42	8.00	32.0%	\$ 5,325
Police Managers <sup>3/5</sup>	-	12.10	25.2%	\$ 15,730
Engineers, IT, Other Technical <sup>3</sup>	3.42	8.00	32.0%	\$ 7,821
Clerical and Administrative <sup>3</sup>	3.42	8.00	32.0%	\$ 4,992
League Employees <sup>3</sup>	3.42	8.00	32.0%	\$ 4,826
Department Directors <sup>2</sup>	3.42	8.00	32.0%	\$ 13,728
City Manager, City Clerk and City Attorney <sup>2</sup>	3.42	9.00	36.0%	\$ 21,060

\*See footnote on next page.

## LATEST CALPERS ACTUARIAL VALUATION

Based on our June 30, 2011, actuarial valuation (used to set contribution rates for 2013-14) the funded-status of our pension plans on a market value basis has improved to 71.2% for the Miscellaneous Plan and 64.8% for the Safety plan. However, the combined unfunded liability totals nearly \$226 million on a market value basis. The most recent actuarial valuation, which sets the contribution rates for fiscal year 2013-14, incorporates several changes in actuarial assumptions as follows:

- Inflation assumption rate lowered from 3% to 2.75%
- Payroll growth lowered from 3.25% to 3%
- Discount rate lowered from 7.75% to 7.5%

The combined impact of the changes in actuarial assumptions will further increase employer contribution rates in fiscal year 2013-14. The City will have the option of phasing-in the actuarial assumptions over one or two years. Depending on whether the City elects to phase-in the actuarial assumptions or not, the miscellaneous contribution rate will increase either 0.7% or 1.4% (as percent of payroll). For the safety plan, the employer contribution rate will increase either 3.4% or 4.8% (as a percent of payroll). In total, the increased contribution amounts to approximately \$1.2 million or \$2 million depending on the phase-in option elected. If the City elects to not to phase in the effects of the actuarial assumption changes and pay the higher initial contribution rate, the City's annual contribution rate will be approximately 4% lower for the next 19 years than it would otherwise be, reducing the overall interest repayment approximately 3.8%.

We understand that CalPERS will be visiting further actuarial assumptions in the coming year. With the unfunded liability totaling nearly \$226 million and the current trend toward more conservative actuarial assumptions, it is more likely that the cost of public pension plans will continue to increase in the coming years than decrease. The City will be monitoring emerging issues with pension administration very closely and will be making every feasible effort to reduce the cost of pensions moving forward.



---

\*Footnote from page 8.

<sup>1</sup> Estimates only (based on average employee salary in that unit in 2014, preliminary PERS rates in 2014, etc.) Some contracts under renegotiation now.

<sup>2</sup> These classifications "at will" and not represented.

<sup>3</sup> Negotiations currently underway.

<sup>4</sup> Could change if other civilian groups contribute more.

<sup>5</sup> Negotiated increase (subject to change) to maintain the 3%@55 formula.





# Boards, Commissions & Committees Report

city of newport beach | city manager's office

[newportbeachca.gov](http://newportbeachca.gov) | 949.644.3001

quarter ending september 30, 2012





# Board of Library Trustees

## **PURPOSE:**

Appointed by the Newport Beach City Council, the Board of Library Trustees is a policy-making board responsible for the administration of City libraries. The Board considers the annual budget for library purposes during the process of its preparation and makes recommendations to the City Council and City Manager. The Board also approves or disapproves the appointment, suspension, or removal of the Library Services Director. Subject to the approval of the City Council, the Board accepts money, personal property, or real estate donated to the City for library purposes, and contracts with schools, county, or other governmental agencies to render or receive library services or facilities.

## **COMMITTEE AUTHORIZATION:**

City Charter, Article VII, Section 708

## **COMMITTEE MEMBERS:**

Jill Johnson-Tucker (Chair), Stephanie Murguia, Jerry King, Eleanor M. Palk, Robin Grant

## **LENGTH OF TERM FOR MEMBERS:**

The five members of the board serve for a term of four years on a staggered basis.

## **FREQUENCY OF MEETINGS:**

The first Monday each month, unless otherwise noticed.

## **STAFF LIAISON:**

Cynthia Pulliam Cowell, MLS, Library Services Dir.

## **STAFF SUPPORT:**

Staff allocates approximately 22 hours a month to this board.



## **QUARTERLY PROGRESS REPORT**

The Board of Library Trustees met this quarter to discuss, review, or approve the following items:

- Election of Officers - Trustee Johnson-Tucker was elected as Chair, Trustee King was elected Vice-Chair, and Trustee Murguia was elected Secretary.
- Donor panels - approved replacement of donor panels on the exterior wall of the Central Library.
- Annual donations - accepted donations from the Friends of the Library and Newport Beach Public Library Foundation support groups.
- Holiday operating hours - approved a holiday operating plan for the three branch Libraries to remain open. The hours of operation will be Wednesday, December 26, through Sunday, December 30, from 9:00 a.m. to 6:00 p.m., with the exception the Balboa and Corona del Mar branches being closed on Sunday, December 30.
- By-laws amendment - approved an amendment for regularly scheduled meetings that fall on a City observed holiday to be held on the following business day.
- Subcommittee formed - approved the creation of a two member subcommittee to work with staff on Library financial matters.

Visit the library online at [newportbeachca.gov/nbpl](http://newportbeachca.gov/nbpl).

# Building & Fire Board of Appeals

**PURPOSE:**

Determine the suitability of alternate materials and methods of construction; to provide for reasonable interpretations of the provisions of the Building and Fire Codes; to hear written appeals regarding the Chief Building Official's or Fire Marshal's determinations.

**COMMITTEE AUTHORIZATION:**

Uniform Administrative Code, Section 201 and NBMC 15.02.120

**COMMITTEE MEMBERS:**

Robert W. Yant (Vice Chair), James Anderson, Ernie Liske, Richard R. Luehrs, Stephen Sandland

**LENGTH OF TERM FOR MEMBERS:**

The seven members of the board serve for a term of four years on a staggered basis.

**FREQUENCY OF MEETINGS:**

As needed

**STAFF LIAISON:**

Kevin Kitch, Assistant Fire Chief  
Seimone Jurjis, Chief Building Official

**STAFF SUPPORT:**

When the board is called into session, staff allocates approximately six hours to each session. Costs for services are recovered by the payment of appeal application fees established by City Council resolution. If an item presented to the Board is staff generated, then no fees are recovered.

**QUARTERLY PROGRESS REPORT:**

The board did not meet during this quarter. Applications are being accepted to fill two vacant seats on the board.



# City Arts Commission

## **PURPOSE:**

Appointed by City Council, the City Arts Commission acts in an advisory capacity to the City Council in all matters pertaining to artistic, aesthetic and cultural aspects of the City. The City Arts Commission also recommends to the City Council the adoption of such ordinances, rules and regulations as it may deem necessary for the administration and preservation of fine arts, performing arts, historical, aesthetic and cultural aspects of the community.

On behalf of the City, the Arts Commission actively encourages programs for the cultural enrichment of the community and performs such other duties relating to the arts as the City Council may require.

## **COMMITTEE AUTHORIZATION:**

City Charter, Article VII, Section 712

## **COMMITTEE MEMBERS:**

Robert Smith (Chair), Rita Goldberg (Vice Chair), Carole Boller (Secretary), Arlene Greer, Gilbert Lasky, Caroline Logan, Christopher Trela

## **LENGTH OF TERM FOR MEMBERS:**

The seven members of the commission serve for a term of four years on a staggered basis.

## **FREQUENCY OF MEETINGS:**

The second Thursday each month, unless otherwise noticed.

## **STAFF LIAISON:**

Jana Barbier, Cultural Arts Coordinator

## **STAFF SUPPORT:**

Staff allocates approximately 80 hours a month to this commission.

## **QUARTERLY PROGRESS REPORT:**

The City Arts Commission met this quarter to discuss, review, or approve the following items:

- Concerts in the Parks – the 2012 series marked its twelfth year with performances by The Bracken Band on July 22 at Bob Henry Park and The U.K. Beat at Bonita Canyon Sports Park on August 5. Both concerts brought full-capacity crowds.
- Shakespeare in the Park – the 2012 series marked its eleventh year with the presentation of "Romeo and Juliet" on July 7 and "Two Gentlemen of Verona" on July 8. The estimated attendance over the two day period was 3,500-4,000 people.
- Cultural Arts budget – the City Council approved an additional \$5,000 per year to fund two museum tours per year.

## *Projected Tasks:*

- Museum tours – planning an October 2 visit to the "Cleopatra" exhibition at the California Science Center and a February 21 visit to see "Van Gogh Self Portrait" at the Norton Simon Museum.
- Civic Center – discussion and consideration of public art for display in the park and buildings.
- Art exhibitions – review artist's applications for possible future art exhibitions at Central Library and City Hall.
- Cultural Arts Grants FY 2012-2013 – review Cultural Arts Grant application submissions from local arts organizations offering arts programs for Newport Beach citizens.

More information on the City's cultural arts programs can be found online at [newportbeachca.gov/culturalarts](http://newportbeachca.gov/culturalarts).

# Civil Service Board

## **PURPOSE:**

Advise the Council on personnel matters, recommend changes to the Civil Service System Rules and Regulations, conduct appeal hearings of City employees for disciplinary issues and launch personnel administration investigations for City employees covered by one of the Safety Bargaining Units (FFA, FMA, LMA, NBPA and PMA) and report its findings to City Council and Manager.

## **COMMITTEE AUTHORIZATION:**

City Charter, Article VII, Sections 710 & 711

## **COMMITTEE MEMBERS:**

James "Mickey" Dunlap (Chair), Maiqual Talbot (Vice Chair), Debra Allen, Douglas Coulter, Hugh Logan

## **LENGTH OF TERM FOR MEMBERS:**

The five members of the board serve for a term of four years on a staggered basis.

## **FREQUENCY OF MEETINGS:**

The first Monday each month, unless otherwise noticed.

## **STAFF LIAISON:**

Terri Cassidy, Human Resources Director  
Jyll Ramirez, Admin. Assistant to the HR Director

## **STAFF SUPPORT:**

Staff allocates approximately 20-25 hours a month to this board.

## **QUARTERLY PROGRESS REPORT:**

In July, the Board welcomed back James "Mickey" Dunlap and Debra Allen for another four years of service. At the same meeting, the Board elected Mr. Dunlap and Ms. Talbot to serve as their 2012-13 Chair and Vice Chair, respectively.

The Board stays current on issues through continuing education and training. This quarter, Assistant City Attorney Leonie Mulvihill presented training on Brown Act updates. This ensures compliance with open-meeting law and transparency in government.

At the end of the quarter, the Civil Service Board selected Vice Chair Talbot and Board Member Allen to serve on a subcommittee, with Deputy City Manager Terri Cassidy and Assistant City Attorney Leonie Mulvihill, for the purpose of interviewing potential outside special legal counsel to advise the Board in specialized hearings.

# Harbor Commission

## PURPOSE:

The purpose of the Harbor Commission is to provide the City of Newport Beach with an advisory body representing the diverse uses of Newport Harbor and its waterfront.

- A. Advise the City Council in all matters pertaining to the use, control, operation, promotion and regulation of all vessels and watercraft within the Newport Harbor.
- B. Approve, conditionally approve, or disapprove applications on all harbor permits where the City of Newport Beach Municipal Code assigns the authority for the decision to the Harbor Commission.
- C. Serve as an appellate and reviewing body for decisions of the City Manager on harbor permits, leases, and other harbor-related administrative matters where the City of Newport Beach Municipal Code assigns such authority to the Harbor Commission.
- D. Advise the City Council on proposed harbor-related improvements.
- E. Advise the Planning Commission and City Council on land use and property development applications referred to the Harbor Commission by the City Council, Planning Commission, or the City Manager.
- F. Make recommendations to the City Council for the adoption of regulations and programs necessary for the ongoing implementation of the goals, objectives, and policies of the Harbor and Bay Element of the General Plan.

## COMMITTEE AUTHORIZATION:

City Charter, Article VII, Section 702

## COMMITTEE MEMBERS:

Doug West (Chair), Duncan McIntosh (Vice Chair), Brad Avery, David Girling, Ralph Rodheim, Paul Blank, Karen Rhyne and City Council Liaison Mayor Gardner

## LENGTH OF TERM FOR MEMBERS:

The seven members of the commission serve for a term of four years on a staggered basis.



## FREQUENCY OF MEETINGS:

The second Wednesday of each month, unless otherwise noticed.

## STAFF LIAISON:

Chris Miller, Harbor Resources Manager  
Shannon Levin, Harbor Resources Supervisor

## STAFF SUPPORT:

Staff allocates approximately 25 hours per month to this commission.

## QUARTERLY PROGRESS REPORT:

The Harbor Commission met this quarter to discuss, review, or approve the following items:

- Election of Officers – appointed Mr. West as Chair and Mr. McIntosh as Vice Chair.
- Review – Tidelands Management Committee's plan, Balboa Village Citizens Advisory Committee's Implementation plan, Harborside Restaurant dining deck at 400 Main Street
- Update - Newport Aquatic Center
- Harbor Commission FY 2012-13 goals & objectives – subcommittee formed to review and recommend goals, which the full commission approved.

The City's Harbor Guide is available online at [newportbeachca.gov/harborguide](http://newportbeachca.gov/harborguide).

# Parks, Beaches & Recreation Commission

## **PURPOSE:**

- A. Act in an advisory capacity to the City Council in all matters pertaining to parks, beaches, recreation, parkways and street trees.
- B. Consider the annual budget for parks, beaches, recreation, parkways and street tree purposes during the process of its preparation and make recommendations with respect there to to the City Council and the City Manager.
- C. Assist in the planning of parks and recreation programs for the inhabitants of the City, promote and stimulate public interest therein, and to that end solicit to the fullest extent possible the cooperation of school authorities and other public and private agencies interested therein.
- D. Establish policies for the acquisition, development and improvement of parks, beaches and playgrounds and for the planting, care and removal of trees and shrubs in all parks, playgrounds and streets, subject to the rights and powers of the City Council.

## **COMMITTEE AUTHORIZATION:**

City Charter, Article VII, Section 709

## **COMMITTEE MEMBERS:**

Kathy Hamilton (Chair), Tom Anderson (Vice Chair), Ron Cole, Roy Englebrecht, Phillip Lugar, Marie Marston and Jack Tingley

## **LENGTH OF TERM FOR MEMBERS:**

The seven members of the commission serve for a term of four years on a staggered basis.

## **FREQUENCY OF MEETINGS:**

The first Tuesday each month, unless otherwise noticed

## **STAFF LIAISON:**

Laura Detweiler, Recreation & Senior Services Dir.  
Mark Harmon, Municipal Operations Director



## **STAFF SUPPORT:**

Staff allocates approximately 57 hours per month to this commission. This includes staff from the Recreation & Senior Services Department and the Municipal Operations Department.

## **QUARTERLY PROGRESS REPORT:**

The Parks, Beaches & Recreation Commission met this quarter to discuss, review, or approve the following items:

- Bench donations – two approved.
- Reforestation requests - two approved.
- Newport Mesa Soccer Club request for temporary lights at Bonita Canyon Sports Park – approved.
- FY 2011-12 youth sports groups maintenance fund review and proposed modifications to fund procedures in the allocation policy – approved.
- Donation of fitness equipment & furniture to the OASIS Fitness Center – approved.



# Planning Commission

## **PURPOSE:**

The Planning Commission has the following duties as established by the City Charter:

- A. After a public hearing thereon, recommended to the City Council the adoption, amendment or repeal of a Master Plan, or any part thereof, for the physical development of the City;
- B. Exercise such control over land subdivisions as is granted to it by ordinance not inconsistent with the provisions of the Charter;
- C. Make recommendations to the City Council concerning proposed public works and for the clearance and rebuilding of blighted or substandard areas within the City; and
- D. Exercise such functions with respect to zoning and land use as may be prescribed by ordinance not inconsistent with the provisions the Charter.

## **COMMITTEE AUTHORIZATION:**

City Charter, Article VII, Sections 706/707

## **COMMITTEE MEMBERS:**

Michael Toerge (Chair), Bradley Hillgren (Vice Chair), Fred Ameri (Secretary), Tim Brown, Kory Kramer, Jay Meyers, and Larry Tucker

## **LENGTH OF TERM FOR MEMBERS:**

The seven members of the commission serve for a term of four years.

## **FREQUENCY OF MEETINGS:**

Twice per month on the Thursday preceding City Council meetings unless otherwise noticed.

## **STAFF LIAISON:**

Kimberly Brandt, Community Development Director

## **STAFF SUPPORT:**

Staff allocates approximately 25 hours per month to this commission.

## **QUARTERLY PROGRESS REPORT:**

The Planning Commission met this quarter to discuss, review, or approve the following items:

- Telecommunications Ordinance review and stakeholder meeting.
- Use Permits – six including expansion of an existing convenience / service station.
- Balboa Village Master Plan – forwarded recommendation for City Council approval.
- Variances for additions to single-family residences - two.

## *Projected Tasks:*

- Review of development applications for a mixed use development in Corona del Mar and a residential development on Jamboree (Uptown Newport).
- Amendment to the Telecommunications Ordinance.



# Finance Committee

## **PURPOSE:**

Responsible for fiscal governance, the Finance Committee reviews and monitors events and issues which may affect the financial status of the City and oversees adherence to the 15-Point Fiscal Sustainability Plan.

## **COMMITTEE AUTHORIZATION:**

Established by Resolution 94-110

## **COMMITTEE MEMBERS:**

Council Member Curry (Chair), Council Member Daigle and Council Member Henn

## **LENGTH OF TERM FOR MEMBERS:**

Pursuant to Council Policy A-9, the Mayor makes annual appointments, subject to Council confirmation. There is no limit on the term Council Members may serve.

## **FREQUENCY OF MEETINGS:**

Quarterly, with an additional meeting during budget season.

## **STAFF LIAISON:**

Dan Matusiewicz, Finance Director

## **STAFF SUPPORT:**

Staff allocates approximately 20 hours per month to this committee. (It should be noted that the majority of the materials and reports provided to the Finance Committee are typical financial reports that would need to be produced and reviewed regardless of the Finance Committee's existence.)

## **QUARTERLY PROGRESS REPORT:**

The Finance Committee met in September to discuss, review, or approve the following items:

- Quarterly Financial Report - briefing on the preliminary unaudited closing results reported for Fiscal Year 2011-12 ended June 30, 2012, as well as other financial news related to growth in assessed property values, the reaffirmation of the City's bond and credit rating, and savings achieved for assessed parcel owners by assessment district refinancing.
- Provided direction on material and procurement options for the Big Canyon Reservoir floating cover replacement.
- Conducted annual review of the performance and characteristics of the City's investment portfolio.
- Annual review of Council Policy F-1, Statement of Investment Policy, considered proposed amendments for clarification and streamlining administrative procedures within the Policy.

The City's budget documents can be found online at [newportbeachca.gov/budget](http://newportbeachca.gov/budget).

# Citizens Bicycle Safety Committee

## PURPOSE:

Promote bicycle safety and responsible cycling within the City through public outreach, bicycle facility improvements, and review of City policies and practices related to bicycles.

## COMMITTEE AUTHORIZATION:

Resolution 2010-99

## COMMITTEE MEMBERS:

Mayor Gardner, Sean Matsler, Denis LaBonge, Anthony Petros, Michael Alti, Lou Cohen, Bob Kahn, Frank Peters

## LENGTH OF TERM FOR MEMBERS:

The seven members of the committee serve for a term of one year.

## FREQUENCY OF MEETINGS:

The second Monday each month, unless otherwise noticed.

## STAFF LIAISON:

Brad Sommers, Senior Civil Engineer



## STAFF SUPPORT:

Staff from the Public Works Department and Police Department allocates approximately 50-100 hours per month to this committee. In addition, this quarter the Police Department's Traffic Division conducted two bicycle safety operations for a total of 30 hours.

## QUARTERLY PROGRESS REPORT:

To date, City staff with the assistance of the Bicycle Committee has completed the following:

- Education and outreach – a subcommittee was created to develop an outreach and education program for the sharrows installation in the Corona del Mar Village.
- Bicycle facility improvements – staff successfully competed for grant funding for the installation of bicycle lanes and improvements on Jamboree, San Joaquin Hills, Ford, and Spy Glass Hill. A subcommittee was created to review and propose improvements to bicycle focus areas. Approval from Caltrans was granted for installation of bicycle improvements at the Newport Coast / SR73 ramps interchange.

*Note: Following the close of the quarter, staff implemented the bicycle safety campaign "Same Rules Same Roads" and a contractor installed the sharrows markings on East Coast Highway in Corona del Mar.*

Find out more on bicycle safety and trails at [newportbeachca.gov/bikesafety](http://newportbeachca.gov/bikesafety).



# Coastal/Bay & Water Quality Committee

## **PURPOSE:**

The Committee advises and makes recommendations to the City Council on water quality/water conservation policies, projects and programs that will achieve the Committee's mission and the City Council's priorities:

- Educate the watershed's population about the value of Newport Bay and the ocean;
- Enforce and/or strengthen existing regulations on actions that impair water quality or wildlife habitat;
- Advocate for policies, programs and projects that improve the water quality of Newport Bay and the ocean;
- Oppose policies, programs or projects that detract from good water quality in the Newport Bay watershed and the ocean; and
- Develop, fund, and monitor water quality initiatives, including testing and structural projects, that meet the Committee's mission.

## **COMMITTEE AUTHORIZATION:**

Resolution 2003-63

## **COMMITTEE MEMBERS:**

Mayor Gardner (Chair), Council Member Henn (Vice Chair), Roberta Jorgensen, Jim Miller, George Robertson, Randy Seton, Tom Houston, Janet Rappaport, Dennis Baker

## **LENGTH OF TERM FOR MEMBERS:**

The three Council Members (currently, there is one vacancy) and seven citizen members serve for a one-year term subject to renewal by the City Council.

## **FREQUENCY OF MEETINGS:**

The second Thursday each month, unless otherwise noticed.

## **STAFF LIAISON:**

John Kappeler, Water Quality Manager

## **STAFF SUPPORT:**

Staff allocates approximately 30 hours a month to this committee.

## **QUARTERLY PROGRESS REPORT:**

The Coastal/Bay and Water Quality Committee met this quarter to discuss, review, or approve the following items:

- Water quality projects and programs – reviewed the Orange County Sanitation District's (OCSD) Outfall Maintenance project, Newport Bay Algae program, Newport Beach's runoff reduction program and energy conservation program.
- Presentations – Irvine Ranch Water District's (IRWD) Michelson Plant Expansion project, Marine Recycling Centers.

## *Projected Tasks:*

- Big Canyon project
- Rhine Channel project wrap up
- Prop 84 ASBS grant program
- Poseidon Desalination project
- Bacteriological Dry-Weather Runoff Gutter Study (Phase III)
- Runoff Reduction program – ET Controller project update
- Senate Bill – SB 1447
- Irvine Ranch Water District – Natural Treatment System (NTS)
- Various educational programs and water quality grant programs.

# Environmental Quality Affairs Committee

## PURPOSE:

The mission of the Environmental Quality Affairs Committee (EQAC) is to protect and enhance the environmental quality of the City for the health and enjoyment of residents and visitors. When directed by the City Council EQAC:

- A. Reviews and submits comments on Notices of Preparation (NOP) and/or the Notice of Completion (NOC) with respect to any Environmental Impact Report (EIR) prepared by the City;
- B. Reviews and submits comments on behalf of the City (subject to City Council or City Manager approval) on environmental documents prepared by other public agencies for projects that have the potential to cause significant adverse environmental impacts within the City;
- C. Reviews and submits comments on any negative declaration prepared by the City for any project;
- D. Advises the City Council on policies, programs and projects that improves or detracts from the environmental quality of the City; and
- E. promotes education and awareness on positive environmental practices.

## COMMITTEE AUTHORIZATION:

Established by Resolution No. 87-14

## COMMITTEE MEMBERS:

Mayor Gardner, Debbie Stevens (Chair), Kimberly Jameson, Merrit Van Sant, Nick Roussos, Joan Penfil, Bruce Asper, Kevin Kelly, Laura Curran, Vincent LePore, Kevin Nolen, and Charles McKenna

## LENGTH OF TERM FOR MEMBERS:

The members of the committee serve for a term of four years on a staggered basis for a maximum of two consecutive terms.



## FREQUENCY OF MEETINGS:

As needed

## STAFF LIAISON:

Patrick Alford, Planning Manager

## STAFF SUPPORT:

Staff allocated approximately 20 hours to this committee during the quarter.

## QUARTERLY PROGRESS REPORT:

The committee presently has 11 vacancies. The terms of four current members are due to expire in December 2012.

On June 12, 2012, the City Council directed the committee to review and comment on the Uptown Newport Draft EIR. A meeting was scheduled for July 30, 2012 for a presentation on the project and Draft EIR review assignments. However, the meeting could not be convened due to the lack of a quorum. The Chair made assignments for review and a meeting was scheduled for October 1, 2012. However, also due to the lack of a quorum, the Committee was unable to approve and submit comments on the Draft EIR. Staff was unable to schedule another meeting within the 45-day public review period, which ended on October 24, 2012.



# Newport Coast Advisory Committee

## **PURPOSE:**

Advise the City in the implementation of the Newport Coast Annexation Agreement and any other issue relating to Newport Coast, Newport Ridge, or Crystal Cove.

## **COMMITTEE AUTHORIZATION:**

Established by Resolution 2001-81

## **COMMITTEE MEMBERS:**

Three members appointed by the City, four appointed by the Newport Coast Committee of 2000 (NCC2K). Current membership includes Mayor Gardner, Council Member Curry, Jim McGee (Chair), Gerry Ross (Vice Chair), Daniel Wampole and one vacancy

## **LENGTH OF TERM FOR MEMBERS:**

The seven members of the committee serve for a term of three years.

## **FREQUENCY OF MEETINGS:**

In recent years, called as needed.

## **STAFF LIAISON:**

Dave Kiff, City Manager

## **STAFF SUPPORT:**

Minimal given that the committee has not met in recent years.



## **QUARTERLY PROGRESS REPORT:**

This committee cannot be disbanded without violating the Newport Coast Annexation Agreement, which calls for its creation and maintenance. This committee met frequently - monthly at least - in 2001, 2002, and for a few years after the January 1, 2002 annexation of the Newport Coast community. With the community center completed and operating, fairly few issues arise that require the committee to meet. Committee members remain relatively active in City issues, and very active in Newport Coast issues (typically via their Master Homeowners Associations).



# Special Events Advisory Committee

**PURPOSE:**

The Special Events Advisory Committee (SEAC) was formed to assist the City Council in evaluating requests for City support of community events. The Committee assesses every application for City support based upon each event's ability to meet all or most of the established evaluation criteria. The Council relies upon the committee's recommendation when making event support funding decisions.

**COMMITTEE AUTHORIZATION:**

Established by Resolution No. 2009-22.

**COMMITTEE MEMBERS:**

Paul Blank, Judy Brower, Janis Dinwiddie, Marshall Topping, Vicki Higgins, Jeffrey Cole

**LENGTH OF TERM FOR MEMBERS:**

The committee is ongoing until such time as the need for the committee no longer exists.

**FREQUENCY OF MEETINGS:**

As needed

**STAFF LIAISON:**

Tara Finnigan, Public Information Manager

**STAFF SUPPORT:**

None at this time.

**QUARTERLY PROGRESS REPORT:**

The committee did not meet this quarter.

# Aviation Committee

## **PURPOSE**

Generally, to assist the City in the implementation of Council Policy A-17 (Newport Beach City Council Airport Policy).

## **COMMITTEE AUTHORIZATION:**

Established by Resolution #9597 (1979). Recently amended by Resolution #2011-31 (April 12, 2011).

## **COMMITTEE MEMBERS:**

City Council (3) - Leslie Daigle (Chair), Rush Hill (Vice Chair), and Keith Curry.  
City Manager Dave Kiff  
City Attorney Aaron Harp  
Council District representatives - Kay Mortenson, Henry Arjad (#1), Eleanor Todd, Gerald Scarboro (#2), Tom Anderson, Bonnie O'Neil (#3), Tom Meng, Ron Darling (#4), John Cunningham, Craig Page (#5), Shirley Conger, Lloyd "Bud" Rasner (#6), Suzanne Casey, Jim Dunlap (#7).  
President of Airport Working Group - Tony Khoury  
Representative from Airfair/SPON - Melinda Seely  
Resident of Newport Coast/Newport Ridge - Roger Ham  
General Aviation Representative – not yet named

## **LENGTH OF TERM FOR MEMBERS:**

Not defined by Resolution.

## **FREQUENCY OF MEETINGS:**

Monthly, on the last Monday unless otherwise noticed.

## **STAFF LIAISONS:**

Dave Kiff, City Manager  
Tom Edwards, Consultant

## **STAFF SUPPORT:**

Tom Edwards' attendance at the meetings and his monthly "All Things Aviation" summary is part of his monthly retainer (\$5K/mo). Staff allocates approximately eight hours per month to this committee, although in this QBR period about 5 hours a week has been dedicated above that for Settlement Agreement Issues and discussion over a new departure pattern.

## **QUARTERLY PROGRESS REPORT:**

The Aviation Committee again in this quarter spent time discussing the impacts to the community of the FAA's recent "NexGen" departure patterns for JWA, especially the "RAWLZ". RAWLZ is not yet adopted, but is intended to mimic the traditional departure patterns over Upper Newport Bay for flights staying west of Las Vegas or turning north (about 50% of all flights leaving JWA) and where the planes have cockpit equipment to follow the RAWLZ.

Committee members hear from JWA officials about JWAs passenger counts and the City's efforts to extend the neighborhood-friendly protections at JWA, including the commercial and general aviation curfews and the passenger and average daily departure caps. These efforts began in the first quarter of 2012 and continue today.

It generally is the Committee's position that the City always view Aviation via the lens of Council Policy A-17 (Newport Beach City Council Airport Policy). The policy does not speak to departure patterns that may impact one neighborhood over another, but it does speak to the importance (above all else) of the Settlement Agreement's protections.

More information can be found online at [newportbeachca.gov/jwa](http://newportbeachca.gov/jwa).

# General Plan/Local Coastal Program Implementation

## PURPOSE:

The Committee is charged with the tasks of developing a work program for the following items and overseeing its progress:

- A. Revision of Coastal Land Use Plan;
- B. Revision of Zoning Code;
- C. Completion of Local Coastal Program Implementation Plan;
- D. Study of infrastructure needs associated with development authorized in the General Plan, and establishment of developer impact fees for infrastructure;
- E. Revision of City Council policies;
- F. Revision of Building Code;
- G. Public participation on the previous items; and
- H. Any other means of implementing the General Plan that may be assigned to the Committee by the City Council.

## COMMITTEE AUTHORIZATION:

Established by Resolution No. 2006-106

## COMMITTEE MEMBERS:

Council Member Selich (Chair), Mayor Gardner, Council Member Hill, and Planning Commission Chair Michael Toerge, Planning Commissioner Fred Ameri, and Planning Commission Vice Chair Bradley Hillgren

## LENGTH OF TERM FOR MEMBERS:

Ongoing until such time as the need for the committee no longer exists.

## FREQUENCY OF MEETINGS:

As needed

## STAFF LIAISON:

Brenda Wisneski, Deputy Community Development Director

## STAFF SUPPORT:

None

## QUARTERLY PROGRESS REPORT:

The committee did not meet this quarter.

# July 4th West Newport Safety Planning Committee

## **PURPOSE:**

The July 4th West Newport Safety Committee was formed to assist the City of Newport Beach in identifying measures to help contain, and eventually eliminate, unruly behavior in West Newport on Independence Day. The Committee's goal is to create a safe, family friendly holiday environment that residents and visitors can equally enjoy.

## **COMMITTEE AUTHORIZATION:**

Established by Council Resolution No. 2002-58 on September 10, 2002.

## **COMMITTEE MEMBERS:**

Council Member Henn (Chair), Council Member Rosansky, Craig Batley, Mary Bryant, Paul Watkins, Margie Dorney, City Attorney or designee, Police Department staff member

## **LENGTH OF TERM FOR MEMBERS:**

Ongoing until such time as the need for the committee no longer exists.

## **FREQUENCY OF MEETINGS:**

As needed

## **STAFF LIAISON:**

Tara Finnigan, Public Information Manager  
Lt. Evan Sailor, Newport Beach Police Dept.

## **STAFF SUPPORT:**

Minimal support needed for committee work. (Significant staff time expended for the traffic control, law enforcement, and community event efforts.)

## **QUARTERLY PROGRESS REPORT:**

The Fourth of July holiday traffic control, special event and law enforcement plans that the committee reviewed in April were fully executed during this quarter.

This was the second year of the City's multi-year strategy to change the character of West Newport Fourth of July festivities from unruly to family friendly in order to: (1) reduce high law enforcement, traffic control, and after-event maintenance costs; and (2) enhance and support community spirit and neighborhood camaraderie.

To meet these objectives, the 2012 holiday plans included less traffic control, continued enforcement of the City's Loud & Unruly Gatherings Ordinance (LUGO), and an expanded community parade and festival. The Newport Beach Police Department (NBPD) also further refined its patrol and enforcement strategies, including adding Mounted Patrol thanks to the assistance of other Orange County law enforcement agencies.

The results of these efforts were favorable. Less traffic control saved the City money and labor resources and did not create any secondary or negative impacts such as increased congestion or larger crowds congregating. Consistent communication about the enforcement of LUGO and other local laws resulted in only two homes being tagged with LUGO penalties on the Fourth of July holiday. The NBPD made 98 arrests on July 4, 2012, up slightly from the 92 arrests made on the 2011 holiday. Law enforcement costs overall were reduced by an additional \$15,000 from the previous year.

A group of community volunteers once again worked closely with the City's Recreation staff to organize the "July 4th is for Families" parade and festival. Community and business sponsorships helped cover all of the event costs and attendance grew this year to about 2,000 area residents. The City was honored to win a Golden Hub of Innovation award from the Association of California Cities – Orange County (ACC-OC) in September for its Fourth of July strategy. The ACC-OC awards program recognizes local governments for innovative approaches to delivering municipal services.



# Neighborhood Revitalization

## **PURPOSE:**

The Neighborhood Revitalization Committee is a direct outgrowth of one of the five 2011 annual priorities identified by the City Council in February of 2011. The purpose of the Committee is to identify and then prioritize those areas of the community that should have an investment of time, thought, and resources to bring the areas up to "Newport Beach" standards. Following City Council approval of the prioritization, the Committee will identify desired outcomes, develop a plan to achieve them, and recommend budget appropriations to be approved by the City Council. Additionally, the Committee has identified and established Citizens Advisory Panels (CAPs) to guide and implement the revitalization strategy for each specific area, encouraging public input throughout the process.

## **COMMITTEE AUTHORIZATION:**

Established by Resolution 2011-26

## **COMMITTEE MEMBERS:**

Council Member Henn (Chair), Council Member Selich, and Council Member Hill

## **LENGTH OF TERM FOR MEMBERS:**

Term ends December 31, 2012

## **FREQUENCY OF MEETINGS:**

As needed

## **STAFF LIAISON:**

Kimberly Brandt, Community Development Director

## **STAFF SUPPORT:**

The City Council allocated \$650,000 from Fiscal Year 2011-2012 budget savings to fund this overall effort to date. Depending upon specific tasks, additional budgetary allocations may be forthcoming. Staff allocates approximately five hours per meeting to this committee.

## **QUARTERLY PROGRESS REPORT:**

On September 13, 2012, the Neighborhood Revitalization Committee approved making a recommendation to the City Council for creating a new advisory committee to oversee the execution of the newly adopted Balboa Village Master Plan and directed staff to conduct a survey regarding the proposed overnight resident permit parking program. During its October 23 meeting, the City Council appointed representatives to the new advisory committee.

Future meetings of the Neighborhood Revitalization Committee will be scheduled on an as needed basis.

More information can be found online at [newportbeachca.gov/revitalization](http://newportbeachca.gov/revitalization).



# Tidelands Management

## **PURPOSE:**

The goals of the Tidelands Management Committee are to:

- 1) Establish long term visions for the tidelands including the Upper and Lower Bays, beaches and other components;
- 2) Study and adopt a Tidelands Infrastructure Master Plan;
- 3) Research, consider and recommend appropriate governance structures;
- 4) Oversee ongoing execution of the Tidelands Infrastructure Master Plan projects; and
- 5) Identify and establish a Citizens Advisory Panel to assist the Committee, encouraging public input throughout the process.

## **COMMITTEE AUTHORIZATION:**

Established by Resolution 2011-26

## **COMMITTEE MEMBERS:**

Mayor Gardner, Council Member Henn (Chair) and Council Member Selich

## **CITIZENS ADVISORY PANEL MEMBERS:**

Linda Beimfohr, John Corrough, Win Fuller, Terry Hartman, Jeff Herdman, Jerry King, Don Lawrenz, Doug West

## **LENGTH OF TERM FOR MEMBERS:**

December 31, 2012

## **FREQUENCY OF MEETINGS:**

The third Wednesday each month, unless otherwise noticed.

## **STAFF LIAISON:**

Chris Miller, Harbor Resources Manager

## **STAFF SUPPORT:**

Staff allocates approximately 30 hours per month to this committee.



## **QUARTERLY PROGRESS REPORT:**

The Tidelands Management Committee met this quarter to discuss, review, or approve the following items:

- Tidelands Infrastructure Capital Plan – review and finalize plan
- Balboa Island Seawall, Grand Canal, Lower Bay Dredging – project update

# Updating Harbor Charges

## **PURPOSE:**

The purpose of the Ad Hoc Committee on Updating Harbor Charges consists of updating Harbor Resources' cost of service fees and updating the City's harbor fees to reflect the fair market value for the use of the Tidelands by the associated user groups. Fees include permits for moorings (completed Fall 2010), Balboa Yacht Basin slip rates (completed Fall 2010), and commercial pier leases (in progress). These fees contribute to harbor projects such as dredging and the provision of additional harbor amenities.

## **COMMITTEE AUTHORIZATION:**

Established by Resolution 2010-95

## **COMMITTEE MEMBERS:**

Council Member Henn, Council Member Selich and Council Member Rosansky

## **LENGTH OF TERM FOR MEMBERS:**

The committee expires at such time as it completes a review of harbor fees and potential course of action are transmitted to the City Council for consideration.

## **FREQUENCY OF MEETINGS:**

As needed

## **STAFF LIAISON:**

Rob Houston, Assistant to the City Manager  
Chris Miller, Harbor Resources Manager

## **STAFF SUPPORT:**

Staff allocates approximately 30 hours a month to this committee.



## **QUARTERLY PROGRESS REPORT:**

The committee has been meeting regularly and has hosted outreach meetings with the commercial harbor users to discuss the proposed plan for commercial marina leases and to solicit feedback.

*Note: Following the close of the quarter, the City Council approved the new commercial marina rates and revised lease agreements.*

More information is available online at [newportbeachca.gov/harborrenters](http://newportbeachca.gov/harborrenters).



# Project Tracking Reports

city of newport beach | city manager's office

[newportbeachca.gov](http://newportbeachca.gov) | 949.644.3001

quarter ending September 30, 2012





## Civic Center & Park Construction

**DEPARTMENTS:**

City Manager's Office and Public Works

**PROJECT LEAD:**

Steve Badum, Assistant City Manager

**PROJECT START DATE:**

2008

**TARGET COMPLETION DATE:**

Late 2012



# Civic Center & Park

## DESCRIPTION:

The Civic Center & Park construction project includes a LEED silver City Hall office building, one of the city's largest parks (15 acre), a 450-space parking structure, an emergency readiness center, a restored wetlands, a dog park and an expansion of the Newport Beach Central Library. It is located on two parcels inland of the Newport Beach Central Library and bordered by Avocado Avenue and MacArthur Boulevard. The project also includes a community room, new Council Chambers, a "One Stop" Customer Service Center, a civic green, and a small café to serve library and city hall customers.

## FUNDING SOURCE:

Bond Proceeds and General Fund

## FUNDING REQUIRED FOR CONSTRUCTION:

\$106,921,562 (estimated construction-does not include soft costs)

## FUNDING ALLOCATED TO DATE:

\$106,921,562 (hard construction costs only)

## AMOUNT SPENT TO DATE:

\$81,761,762

## STATUS TO DATE:

The Civic Center and Park project remains on schedule and budget. The exterior of the building is 99% complete and interior construction including ceilings, walls, flooring, and millwork is 80% complete. The construction of the park walkways, irrigation and planting are well underway. The City Council Chambers is on track to be ready for its first meeting on December 11, 2012.

While the project is scheduled to be substantially complete in December 2012, the transition of staff will occur after the building has been fully commissioned in late Winter or early Spring. A community celebration is being planned to take place in late Spring.

A project newsletter is published every other month with updated construction information and photos. It is available for viewing online at [newportbeachca.gov/civiccenter](http://newportbeachca.gov/civiccenter).



## Existing City Hall Complex Re-use Planning





# Existing City Hall Complex Re-use

## DEPARTMENT:

Community Development

## PROJECT LEAD:

Kimberly Brandt, Community Development Director

## PROJECT START DATE:

July 2010

## TARGET COMPLETION DATE:

December 2014

## DESCRIPTION:

With the construction of the new Civic Center well underway, the City has been planning for the re-use of the existing City Hall Complex located at the corner of Newport Boulevard and 32nd Street. The site provides an excellent opportunity for redevelopment in a manner that benefits the areas of Lido Village, Balboa Peninsula, and West Newport Beach. The goal is to develop and approve a plan for the future use of the property located at 3300 Newport Boulevard. Work is progressing on amendments to the General Plan, Coastal Land Use Plan, and Zoning Ordinance to accommodate a future mixed use development that would be either a luxury apartment community with possibly a small ancillary retail component or an upscale, boutique hotel with possibly a complementary residential element.

## FUNDING SOURCE:

General Fund

## TOTAL FUNDING REQUIRED FOR PROJECT:

Funding to be determined and is dependent upon the full scope of necessary analysis. Staff has allocated approximately 250 hours to this project.

## FUNDING ALLOCATED TO DATE:

Approximately \$90,000 during the 2012 calendar year has been allocated for the preparation of market and economic feasibility analysis and environmental review.

## AMOUNT SPENT TO DATE:

Approximately \$90,000

## STATUS TO DATE:

A summary of the hotel market analysis and economic analysis of both a hotel development and an apartment community for the existing City Hall Complex was presented to City Council on September 25, 2012. Either project is considered viable from a market and economic perspective. The City Council provided direction to include both development scenarios in the pending land use amendments and a Request for Qualification (RFQ) process.

On October 10, 2012, the City issued a RFQ from development firms interested in participating in the redevelopment of the site with either a high-end apartment community with the possibility of including an ancillary amount of retail commercial use or an up-scale boutique hotel including customary accessory commercial uses and meeting spaces with possibly (but not necessarily) a complementary residential component. Both development scenarios include a public plaza and sufficient area for a fire station. Complete responses to the RFQ are due November 20, 2012.

The City expects to gauge the interest and capability of firms interested in each of the two scenarios through the submitted Statements of Qualifications. Under either development scenario, the City will be seeking a development partner, and ultimately a development project, that reflects the community's very high standards for quality, aesthetics, and amenities. It is estimated to provide a report to the City Council in early 2013 discussing the results of the evaluation of the received Statements of Qualifications.

In December of 2012 or January 2013, the draft land use amendments will be considered by the Planning Commission. The Commission's recommendation will be presented to the City Council thereafter. Once approved, the amendment of the Coastal Land Use Plan will require review and approval by the California Coastal Commission.

More information is available online at [newportbeachca.gov/3300](http://newportbeachca.gov/3300).

## Fire Ring Removal



# Fire Ring Removal

**DEPARTMENT:**

Community Development Department

**PROJECT LEAD:**

Brenda Wisneski, Deputy Community Development Director

**PROJECT START DATE:**

February 2012

**TARGET COMPLETION DATE:**

February 2013

**DESCRIPTION:**

Newport Beach has concrete fire rings on the beach in two areas: there are 27 fire rings located on Corona del Mar State Beach and 33 fire rings located near the Balboa Pier. Some of the fire rings are located on State property (Corona del Mar), and all of the fire rings are located in the coastal zone. The fire rings are appreciated by many who visit, but also result in extensive and often daily wood smoke released in adjacent residential areas. The City Council voted 7-0 in favor of upholding the Parks, Beaches & Recreation Commission's recommendation and directing City staff to take the necessary steps to remove the fire rings at both locations. Removal of the fire rings requires a Coastal Development Permit to be issued by the California Coastal Commission.

**STATUS TO DATE:**

An application for the removal of the fire rings was filed with the California Coastal Commission (CCC) in May 2012. The application is currently considered "incomplete" by the CCC staff on the basis that they seek additional information including studies documenting the health effects of the fire rings on the surrounding residents and data pertaining to the fire ring use. City staff is currently developing a response to the Coastal Commission's request for additional information. Staff estimates a CCC hearing date in February 2013.

Project information is available online at [newportbeachca.gov/firerings](http://newportbeachca.gov/firerings).

**FUNDING SOURCE:**

General Fund

**TOTAL FUNDING REQUIRED FOR PROJECT:**

None

**FUNDING ALLOCATED TO DATE:**

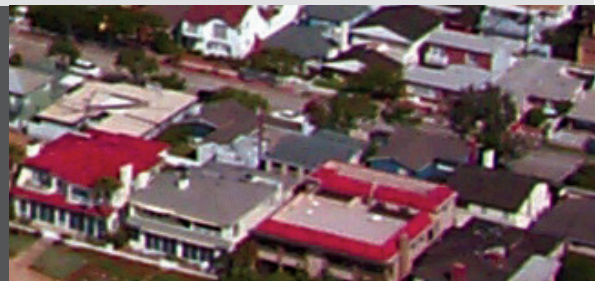
None

**AMOUNT SPENT TO DATE:**

None, other than staff time



## Group Residential Uses

**DEPARTMENTS:**

City Attorney's Office, City Manager's Office,  
Community Development

**PROJECT LEAD:**

City Attorney and City Manager

**PROJECT START DATE:**

2007

**TARGET COMPLETION DATE:**

Ongoing

# Group Residential Uses

## DESCRIPTION:

Implement and defend group home regulations to maintain the residential character of the City's residential neighborhoods while providing equal access to housing and accommodating the needs of the disabled.

## FUNDING SOURCE:

General Fund and Fund Balance

## TOTAL FUNDING REQUIRED FOR PROJECT:

All costs have not been specifically identified since a great deal of the costs is internal, staff resources from the City Manager's Office, City Attorney's Office, Planning, and Code Enforcement.

## FUNDING ALLOCATED TO DATE:

\$3.2 million on outside counsel and litigation costs to date.

## AMOUNT SPENT TO DATE:

\$3.2 million on outside counsel plus internal staffing and the Hearing Officer for administrative proceedings.

## STATUS TO DATE:

Ordinance No. 2008-05 has been adopted and enforced through all necessary administrative proceedings. The City is at the stage of defending the Ordinance in federal court and in U.S. Department of Justice and Department of Housing and Urban Development proceedings. Additionally, the City is in litigation with several operators of group homes who have failed to comply with the provisions of the Municipal Code. As to these issues:

### *(1) Federal Litigation:*

The federal litigation involving Yellowstone, Pacific Shores Newport Coast Recovery and the City was successfully resolved in the City's favor but is on appeal before the 9th Circuit Court of Appeals. A three judge panel of the 9th Circuit Court of Appeals heard oral arguments on November 6, 2012. A written opinion from the 9th Circuit Court of Appeals is expected within three to six months.

### *(2) Challenge to Morningside Zoning Agreement:*

Maintain Our Residential Neighborhoods ("MORN") has filed a challenge to the adoption of the Zoning Agreement with Morningside Recovery that was the vehicle for settling the federal court litigation involving the City and Morningside Recovery. This case is set for trial in December 2012; however, it is anticipated that the trial will be continued (or stayed) given the Court's ruling that the City lawfully terminated the Zoning Agreement with Morningside.

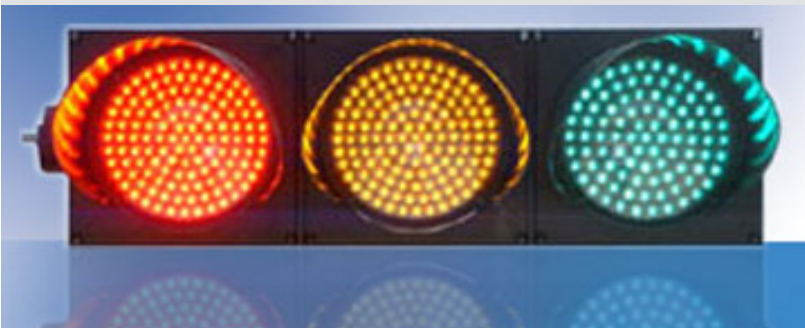
### *(3) Enforcement of Morningside Zoning Agreement:*

On August 9, 2011, the Council adopted Ordinance No. 2011-20, which terminated the Zoning Agreement between the City and Morningside. Morningside filed a challenge to the City's termination of the Zoning Agreement in Orange County Superior Court and the City filed a cross-complaint against Morningside seeking to abate the violations of the City's Zoning Code at 4823 A River Avenue, 4823 B River Avenue, 29 Ima Loa Court, 100 Via Antibes, 102 Via Antibes, 208 Via Lido Soud and 533 Via Lido Soud. On December 15, 2011, the Court granted the City's motion for a preliminary injunction and ordered Morningside to fully comply with all of the operating conditions in the Zoning Agreement during the pendency of the litigation. The court also prohibited Morningside from opening any new unlicensed facilities within the City or expanding any of its existing facilities to serve more clients. On June 19, 2012, the Court granted the City's motion upholding the City's decision to terminate the Zoning Agreement. Trial on the City's cross-complaint to abate violations of the City's Zoning Code is set to commence on December 3, 2012.

### *(4) Enforcement Against Yellowstone:*

With the Council's authorization, on October 11, 2011, the City filed a civil case seeking to abate four Yellowstone residential care facilities located at 1621 Indus Street, 1561 Indus Street, 20172 Redlands Drive and 1571 Pegasus Street based on Yellowstone's alleged violation of the Newport Beach Municipal Code. This case is set for trial on February 13, 2013; however, given the aforementioned federal lawsuit, the court will likely stay this action until the Ninth Circuit Court of Appeals issues its opinion.

## Implement Traffic Management Plan



# Implement Traffic Management

## DEPARTMENT:

Public Works

## PROJECT LEAD:

Dave Webb, Public Works Director  
Tony Brine, City Traffic Engineer

## PROJECT START DATE:

January 2007

## TARGET COMPLETION DATE:

Fall 2013

## DESCRIPTION:

This project improves and modernizes traffic signals throughout the city to improve system reliability, traffic flow and to reduce congestion. The implementation of the traffic signal modernization program allows staff to monitor, adjust and optimize traffic signal timing and operations from the Traffic Management Center (TMC) located at City Hall. The program consists of upgrades to 119 traffic signals with new controllers, fiber optic connections, and Closed Circuit Television (CCTV) cameras at selected intersections.

## FUNDING SOURCE:

Transportation and Circulation, Measure M  
Turnback, Measure M Competitive

## TOTAL FUNDING REQUIRED FOR PROJECT:

\$6,500,000

## FUNDING ALLOCATED TO DATE:

\$5,900,000 (excludes Phase 8)

## AMOUNT SPENT TO DATE:

\$5,000,000

## STATUS TO DATE:

Due to the overall size of the traffic modernization program, it was divided into eight phases. To date, 90 traffic signals have been upgraded and linked to the new high speed fiber optic backbone, 27 CCTV cameras have been installed, and the new TMC is operational. The City's annual traffic signal rehabilitation program is for performing necessary maintenance on existing signal equipment and was combined with the modernization program for efficiency. The noted funding information only includes estimates for the traffic modernization program.

### *Program Overview:*

- Phases 1 through 5 and Phase 7 are complete and operational. These phases included the intersections along Balboa Peninsula, Superior Avenue, MacArthur Boulevard, Jamboree Road, City owned portions of Coast Highway and intersections in the airport area, Newport Center and along Irvine Avenue.
- Phases 6 and 8 includes improvements to Newport Coast Drive, San Miguel Drive, Bonita Canyon Drive, and portions of San Joaquin Hills Road. The design of Phase 6 is planned for Summer 2012. Measure M2 grant funding was awarded for a portion of the project's construction. Portions of Phase 8 will be designed and constructed through a cooperative agreement with the City of Irvine in Fiscal Year 2012-13. This partial phase was also awarded Measure M2 grant funding for construction.



## Lower Bay Dredging





# Lower Bay Dredging

## DEPARTMENT:

Public Works

## PROJECT LEAD:

Chris Miller, Harbor Resources Manager

## PROJECT START DATE:

2012

## TARGET COMPLETION DATE:

January 2013

## DESCRIPTION:

The project initially included dredging approximately 1.2 million cubic yards in the main navigational channels of the Lower Bay by the federal government. Due to budget constraints, the Army Corps of Engineers initiated a smaller project to dredge approximately 350,000 cubic yards of sediment in the harbor's critical areas. About two-thirds of the sediment was suitable (clean) for ocean disposal at the off-shore site "LA-3", with the remaining material disposed at the Port of Long Beach ("POLB"). This part of the project, Phase I, commenced May 1, 2012, and was completed in September 2012.

In July 2012, the City Council and the County Board of Supervisors approved additional funding for Phase II which will dredge an additional 210,000 cubic yards of sediment. When Phase II is complete, nearly all of the shallow areas in the harbor will be dredged to its authorized depths.

## FUNDING SOURCE:

Federal Funds and Tidelands (City and County)

## TOTAL FUNDING REQUIRED FOR PROJECT:

\$11.5 million (Phases I & II)

## FUNDING ALLOCATED TO DATE:

\$400,000 (O&M City Tidelands), \$100,000 (City CIP), \$2.4 million in federal funds, \$2.0 million in additional federal funds, \$2.5 million contributed by the City of Newport Beach for Phase I, \$2.5 million contributed by the City of Newport Beach for Phase II, and approximately \$1.2 million contributed by the County for dredging in the County Tidelands.

## AMOUNT SPENT TO DATE:

\$400,000 for O&M Tidelands for sediment testing, \$4.4 million of federal funds to award contract, \$5.0 million for City O&M Tidelands to award Phases I & II, and \$1.2 million for County Tidelands to dredge Phases I & II.

## STATUS TO DATE:

The Corps awarded the contract to R.E. Staite Engineering, and they commenced dredging on May 1. The project is scheduled to be complete in January 2013. The Port of Long Beach executed an amendment to an existing agreement with the City to dispose unsuitable ocean material in the Port's Middle Harbor Fill project.

In an effort to meet the POLB's delivery schedule, dredging operations were permitted seven days a week, 24 hours a day. In September, the City requested another POLB amendment to extend the disposal deadline to October 12 to allow delivery of the last remaining material.

As of September 30, approximately 390,000 cubic yards of material was removed from the Lower Bay, and the POLB took delivery of all materials by October 9.

For more project information and an up-to-date construction schedule, visit [newportbeachca.gov/lowerbaydredging](http://newportbeachca.gov/lowerbaydredging).

## Marina Park



# Marina Park

## DEPARTMENT:

Public Works

## PROJECT LEAD:

Dave Webb, Public Works Director  
Iris Lee, Senior Civil Engineer

## PROJECT START DATE:

2006

## TARGET COMPLETION DATE:

Summer 2015

## DESCRIPTION:

The approved Marina Park concept plan proposes a new marina which includes a 23 slip visiting vessel marina, visitor side tie dock and floating docks to support youth and adult sailing programs and mooring support services, 12,700 square foot sailing center building, 10,800 square foot community center building, new park with amenities including half court basketball courts, tot lot and playground, exercise circuit, walking paths and beach area, new Girl Scout house and parking.

The Marina Park site is located on the bay side of Newport Peninsula between 15th and 18th Streets. The 10.4 acre site is owned by the City and is currently being used for several purposes including a 57 space mobile home park, Las Arenas and Veterans Memorial Parks, Balboa Community Center and parking lots, 18th Street Sailing Base and leased space for a Girl Scouts meeting facility.

## FUNDING SOURCE:

General Fund-Major Facilities

## TOTAL FUNDING REQUIRED FOR PROJECT:

\$30,000,000

## FUNDING ALLOCATED TO DATE:

\$13,900,000

## AMOUNT SPENT TO DATE:

\$2,489,545

## STATUS TO DATE:

With the recent California Coastal Commission's approval of the Marina Park project, staff is currently working on getting an approved Coastal Development Permit and moving forward with the project design. The design team is focusing on the construction document phase, which details the design development plans for construction purposes. Various value engineering measures were implemented to reduce costs, while delivering a quality project.

While the City is moving forward with the Marina Park design, staff has also been working closely with the Girl Scout Council of Orange County to incorporate its design of the new Girl Scout House at the project site.

Our current schedule now estimates construction starting in early 2013, with completion by Summer 2015.

## Project Timeline:

- Coming months – U.S. Army Corps of Engineers' 404 permit conditional approval, which cannot be formally issued until the coastal permit is approved. Moving forward with Coastal Development Permit.
- June 2012 – California Coastal Commission Public Hearing - approved.
- November 2011 – State Lands Commission approved Tidelands Boundary Agreement and City deleted the proposed tennis courts from the project.
- May 2011 – State Regional Water Quality Control Board 401 permit approval
- January 19, 2011 – CCC second incomplete letter and notification a Tidelands boundary issue needs to be resolved by State Lands Commission. November 13, 2007 - City Council approval of Marina Park concept plan
- December 21, 2010 – CCC permit application resubmitted
- November 30, 2010 – CCC incomplete letter
- October 7, 2010 – CCC permit application submitted
- May 11, 2010 – City Council approval of Environmental Impact Report
- November 13, 2007 - City Council approval of Marina Park concept plan

Project information is available online at [newportbeachca.gov/marinapark](http://newportbeachca.gov/marinapark).

## Newport Banning Ranch





# Newport Banning Ranch

## DEPARTMENTS:

Community Development, Public Works, City Attorney's Office, and City Manager's Office

## PROJECT LEAD:

Patrick Alford, Planning Manager

## PROJECT START DATE:

August 2008

## TARGET COMPLETION DATE:

August 2012

## DESCRIPTION:

Newport Banning Ranch is a 402.3-acre planned community proposed by Newport Banning Ranch, LLC; a partnership formed by Aera Energy, Cherokee Investment Partners, and Brooks Street. The project would contain a maximum of 1,375 dwelling units, 75,000 square feet of retail commercial, a 75-room "boutique" hotel, parks, and open space. The site is generally bound to the north by Talbert Nature Preserve/Regional Park (Costa Mesa); to the south by West Coast Highway and the Newport Shores Community; to the east by Newport Crest Community, West Newport Mesa, and Westside Costa Mesa; and to the west by a U.S. Army Corps of Engineers wetlands restoration area and the Santa Ana River. Approximately 40 acres of the site are located within the incorporated boundary of the City of Newport Beach; the remainder of the site is within unincorporated Orange County, but within the City of Newport Beach's adopted Sphere of Influence.

## FUNDING SOURCE:

General Fund (off-set by application fees)

## TOTAL FUNDING REQUIRED FOR PROJECT:

\$4 million (estimated)

## FUNDING ALLOCATED TO DATE:

\$3,807,000

## AMOUNT SPENT TO DATE:

\$3,703,210

## STATUS TO DATE:

The City Council approved the Newport Banning Ranch project on July 23, 2012 and the second reading of project-related ordinances occurred on August 14, 2012.

The project requires the approval of a coastal development permit by the California Coastal Commission. The applicant anticipates submittal to the Coastal Commission by November 1, 2012.

Project information can be found online at [newportbeachca.gov/banningranch](http://newportbeachca.gov/banningranch).



## Reduce Fire Hazard in Buck Gully

**DEPARTMENT:**

Fire

**PROJECT LEAD:**

Kevin Kitch, Assistant Chief

**PROJECT START DATE:**

2007

**TARGET COMPLETION DATE:**

Summer 2012

# Reduce Fire Hazard in Buck Gully

## DESCRIPTION:

The California State Legislature has found and declared that: (1) Wildfires are extremely costly, not only to property owners and residents, but also to local agencies; (2) wildfires pose a serious threat to the preservation of the public peace, health, or safety; (3) it is necessary that cities, counties, special districts, state agencies and federal agencies work together to bring raging fires under control; and (4) preventive measures are needed to ensure the preservation of the public peace, health, and safety.

California Government Code Section 51178 requires CAL FIRE to identify the Very High Fire Hazard Severity Zones ("VHFHSZ") using consistent statewide criteria. CAL FIRE has completed this task and maps were sent to local agencies throughout the state for adoption by the governing body as required by State law. The VHFHSZ are based on fuel loading, slope, fire weather, vegetation types, fire history, areas prone to high winds and other related factors.

Guidance on the local adoption process is provided in Government Code Section 51179(b) that allows local agencies the ability to exclude areas from the VHFHSZ identified by CAL FIRE. Specifically, areas identified that are supported by substantial recorded evidence that the defensible space and other requirements of California Government Code Section 51182 are not necessary for effective fire protection within the area. Any modifications made by the City of Newport Beach to the recommendations of CAL FIRE are final and not rebuttable by the CAL FIRE Director.

## FUNDING SOURCE:

Unknown

## TOTAL FUNDING REQUIRED FOR PROJECT:

Unknown. There are no direct costs with the adoption of the ordinance; however, there will be additional costs associated with identifying properties requiring defensible space maintenance.

## FUNDING ALLOCATED TO DATE:

\$190,000 is budgeted for Fuel Modification maintenance and the citywide weed abatement and hazard reduction program has \$46,114.

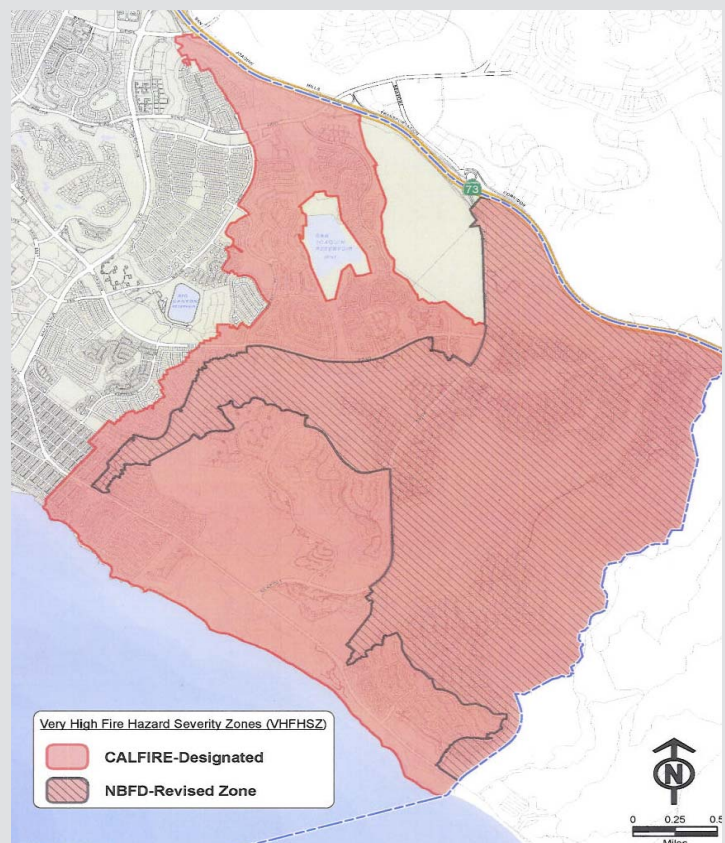
## AMOUNT SPENT TO DATE:

Hazard Reduction and Fuel Modification programs run seasonally and have expended \$219,699 and \$12,401 respectively.

## STATUS TO DATE:

The City Council adopted the VHFHSZ map via Ordinance No. 2012-15 on July 24, 2012 and went into effective on August 24, 2012. The adoption of the map does not cause significant public safety issues based upon substantial evidence contained in the record and the activities required of a person who owns, leases, controls, operates, or maintains a dwelling or structure in an area designated to be within a VHFHSZ. The adoption of the VHFHSZ is mandated by Government Code Section 51182 and not subject to the discretion of the City. The excluded areas will not be affected by the adopted VHFHSZ map or fuel management activities and there is no anticipated impact to the environment.

Copies of fire maps are available for viewing at City Hall in the Fire Department Administrative office or online at [newportbeachca.gov/firehazardmap](http://newportbeachca.gov/firehazardmap). The image below is the City's adopted VHFHSZ map.



## Relinquishment of Newport Boulevard

# Relinquishment of Newport Blvd

**DEPARTMENT:**

Public Works

**PROJECT LEAD:**

Dave Webb, Public Works Director

**PROJECT START DATE:**

2008

**TARGET COMPLETION DATE:**

December 2013

**DESCRIPTION:**

The goal of this project is to initiate a long range planning process for the City to eventually control the 0.17 mile segment of Newport Boulevard between Finley Street and the West Channel Bridge in an effort to improve coordination of vehicle and bicycle traffic on and off the Balboa Peninsula, as well as provide enhanced landscape improvements on Newport Boulevard through Lido Village. One option might be to acquire ownership of the necessary State right-of-way, or enter into an agreement with the State to allow construction of the desired improvements. The relinquishment process is a multi-step process that involves passing appropriate legislation, State review of the facility for possible relinquishment, preparation of a report on the facilities and development of an offer for the City to acquire the facilities, City accepting the offer or submitting a counter offer, and then having the State prepare the necessary right-of-way and design reports and process them through the California Transportation Commission. There is a generally defined process and estimated schedule that the State needs to complete in order to relinquish the facilities to the City. The current estimated completion date for the entire process is December 2013.

**FUNDING SOURCE:**

No funding is necessary to acquire this segment of roadway from the State other than the cost of staff time to process the item.

**TOTAL FUNDING REQUIRED FOR PROJECT:**

To be determined

**FUNDING ALLOCATED TO DATE:**

None

**AMOUNT SPENT TO DATE:**

None other than staff time

**STATUS TO DATE:**

Caltrans staff is currently working on the required documents and legal maps for the relinquishment of Newport Boulevard from Finley Street to the West Channel Bridge. It is tentatively estimated to be presented to the City Council for approval in August 2013. From there, the agreement goes to the California Transportation Commission for its approval in Fall 2013 with the relinquishment process estimated for completion in December 2013. Additionally, the State informed the City back in April 2012 that they no longer had any relinquishment funding available to pay the agreed upon \$20,000 fee (due to the on-going State financial problems). In an effort to keep the process moving forward, City staff negotiated with the Caltrans District Director to have at least \$20k in needed signal upgrades completed on the Finley Avenue and Via Lido signals, in lieu of the cash payment for the relinquishment. This work is currently being identified and programmed to allow the State to meet its obligation.

**Balboa Village Revitalization Area**

Fun Zone and Nautical Museum



# Revitalization Priority Area: Balboa Village

## DEPARTMENT:

Community Development

## PROJECT LEAD:

Kimberly Brandt, Community Development Director

## PROJECT START DATE:

August 2011

## TARGET COMPLETION DATE:

Within fiscal year 2011-2012

## DESCRIPTION:

The goal of this project was the preparation of an economic vision and revitalization strategy to address market opportunities and constraints, infrastructure opportunities, and previous economic development efforts within Balboa Village. The project was directly tied to 2011 City Council revitalization priorities.

The City Council Ad-Hoc Neighborhood Revitalization Committee provided oversight of the preparation of a refreshed "Vision Plan" for Balboa Village. The Ad-Hoc Committee appointed a Citizens Advisory Panel (CAP) to provide a public participation forum and to guide the preparation of the plan.

## FUNDING SOURCE:

General Fund

## TOTAL FUNDING REQUIRED FOR PROJECT:

Funding to be determined and is dependent upon the full scope of necessary analysis. Staff has allocated 125 hours to support this project.

## FUNDING ALLOCATED TO DATE:

A consulting project manager/facilitator (Cindy Nelson) has been retained at an approximate cost of \$60,000. Keyser Marston and Associates and Nelson Nygaard have been retained to conduct economic and parking analysis, respectively, at an approximate cost of \$87,500. Destination Consulting Group has been retained at a maximum cost of \$5,000.

## AMOUNT SPENT TO DATE:

Approximately \$136,000, including \$1,200 to conduct a resident/owner survey related to the proposed overnight resident parking permit program.

## STATUS TO DATE:

The Balboa Village CAP has conducted public meetings, engaged consultants to perform economic and market conditions assessments and a comprehensive parking management strategy, worked with Visit Newport Beach and the community to refine the Balboa Village vision and develop a brand promise, and conducted opinion research on the area. Each of these components became integral to developing the Balboa Village Master Plan.

The Plan identifies a new vision and direction for Balboa Village and it outlines key steps to be taken over time with the goal of revitalizing the area. Strategies were developed with the intent to create new revenues in the district to support the various identified programs, while minimizing the impact to the general fund. The Plan includes a series of administrative, economic development, planning & zoning, parking, and public streetscape initiatives that should bring about positive change for Balboa Village. The Plan also includes a prioritization matrix that will be used as a work program to carry out the plan. The Plan was approved by the CAP in May of 2012, and it was reviewed by both the Harbor and Planning Commissions in July of 2012. The Ad-Hoc Neighborhood Revitalization Committee recommendation to adopt the plan was considered by the City Council in September of 2012. The City Council adopted the Balboa Village Master Plan on September 25, 2012.

The City Council created the Balboa Village Advisory Committee that is tasked with overseeing the ongoing implementation of the Master Plan. Committee members are Mayor Pro Tem Curry, Council Member Henn, Gloria Oakes - Balboa Peninsula Point HOA, Laura Keane - Central Newport Beach Community Association, Tom Pollack - ExplorOcean, Ralph Rodheim - Balboa Village BID Board member, Jim Stratton - Member-at-large.

CAP information and the Master Plan are available online at [newportbeachca.gov/revitalization](http://newportbeachca.gov/revitalization).

## Sunset Ridge Park



# Sunset Ridge Park

## DEPARTMENT:

Public Works

## PROJECT LEAD:

Andy Tran, Senior Civil Engineer

## PROJECT START DATE:

August 2007

## TARGET COMPLETION DATE:

Winter 2013

## DESCRIPTION:

The proposed 13.7 acre Sunset Ridge Park is situated on the northwest corner of West Coast Highway and Superior Avenue in West Newport Beach. Sunset Ridge Park is planned to be an active park per the City's General Plan with amenities including Pony League baseball field, soccer fields, children's tot lot area, restrooms, butterfly garden, shaded viewpoint, walkways, walls, and landscaping.

## FUNDING SOURCE:

General Fund and Park-in-lieu

## TOTAL FUNDING REQUIRED FOR PROJECT:

\$12 million\*

## FUNDING ALLOCATED TO DATE:

\$11.2 million\*

## AMOUNT SPENT TO DATE:

\$2.3 million\*

\*Not including cost of land purchased from Caltrans for \$5.2 million.



## STATUS TO DATE:

On November 2, 2011, the California Coastal Commission (CCC) held a public hearing on the project. Unfortunately, the CCC was poised to recommend denial of the park application due to concerns from pending plans for the Newport Banning Ranch development needing to be reviewed prior to approval of the park access road. For that reason, staff withdrew the application.

A revised application was resubmitted on December 16, 2011 to allow construction of the active park without taking public access from the adjacent Newport Banning Ranch property. The park application was approved by the CCC at its August 9, 2012 meeting. Staff has been continuously working with CCC staff on the special conditions of the application.

Construction is anticipated to begin in Winter of 2013 with an estimated project completion by Spring of 2014. This timeline depends on CCC issuing a timely permit for the project and reasonable conditions for its construction.

Project information is available online at [newportbeachca.gov/sunsetridgepark](http://newportbeachca.gov/sunsetridgepark).



## Transportation Fair Share Fee





# Transportation Fair Share Fee

## DEPARTMENTS:

Public Works and Community Development

## PROJECT LEAD:

Dave Webb, Public Works Director  
Antony Brine, City Traffic Engineer

## PROJECT START DATE:

February 2007

## TARGET COMPLETION DATE:

To be determined

## DESCRIPTION:

In 1984, City Council established the Fair Share Traffic Contribution Ordinance to ensure development contributes its fair share towards improvements included in the City's Master Plan of Arterial Highways and General Plan Traffic Circulation Element.

The Ordinance established a fair and equitable method to distribute costs of the circulation system improvements necessary to accommodate the traffic volumes generated by development. From time to time, the City Council has updated this Ordinance as costs have risen and whenever the General Plan has been updated.

Since the City updated the General Plan, the Implementation Committee has been working on an update of the fair share fee.

## FUNDING SOURCE:

General Fund

## TOTAL FUNDING REQUIRED FOR PROJECT:

\$100,000

## FUNDING ALLOCATED TO DATE:

\$65,200

## AMOUNT SPENT TO DATE:

\$65,200

## STATUS TO DATE:

The completion of updating the Fair Share Traffic fee has been put on hold until direction is determined regarding various iterations proposed by the General Plan/ LCP Implementation Committee, project consultants and interested parties such as the Building Industry Association of Orange County. The most recent version was reviewed by the GP/ LCP committee and the final report, prepared by a consultant, is currently on hold.

## West Newport Beach Facility Planning



# West Newport Beach Facility Planning

## DEPARTMENTS:

City Manager's Office, Public Works and Finance

## PROJECT LEAD:

Steve Badum, Assistant City Manager  
Dave Kiff, City Manager  
Dave Webb, Public Works Director  
Dan Matusiewicz, Finance Director

## PROJECT START DATE:

April 2011

## TARGET COMPLETION DATE:

On-going

## DESCRIPTION:

Most of the City's public buildings and facilities on the west side of the city are reaching the end of their service life and are in need of major refurbishment or replacement. In 2006, the City developed a comprehensive citywide Facilities Financing Plan as a tool to identify, forecast and fund the refurbishment and/or replacement of numerous City owned facilities including police and fire stations, libraries, community and senior centers, services yards and parks. With the upcoming relocation of City Hall to the new Civic Center Complex, discussions have and continue to take place as to how best to reconstruct the remaining facilities to meet current and future community needs.

The West Newport Beach Facility Planning process will include building upon the current efforts to redevelop the existing City Hall site and develop conceptual plans and alternatives to provide: consolidated maintenance and operations facilities; replacement and potentially relocated community center facilities and fire stations; replacement of the existing Lifeguard Headquarters building with smaller, more efficient facilities located at Newport and Balboa Piers; as well as continuing discussions regarding the future of various other City facilities, particularly those located on the western side of the Newport Bay.

## FUNDING SOURCE:

General Fund

## TOTAL FUNDING REQUIRED FOR PROJECT:

To be determined

## FUNDING ALLOCATED TO DATE:

\$75,000

## AMOUNT SPENT TO DATE:

\$75,000

## STATUS TO DATE:

The needs assessment for the reuse of the City's Corporation Yard (located at 592 Superior Avenue) and the Utility Yard (located at 949 W. 16th Street) was completed in February 2012. Staff continues to review that report and is making plans to implement some of the recommendations. Staff also continues to review the conceptual plan for the relocation of the City's Police Department and the development of a consolidated West Newport Community Center. Further advancement of these concepts will rely on City Council direction regarding the disposition of the City's refuge program. In addition, we continue to explore potential alternative locations for the replacement of Fire Station No. 2 (located adjacent to City Hall) to allow for a more efficient reuse of the current City Hall complex.

Based upon the required lead times and permit processing for the future lifeguard facilities replacements, staff is moving forward with an interim plan to remodel the existing Lifeguard Headquarters at the Newport Pier. The interim plan will improve the efficiency of existing space and provide for an interim space for Junior Lifeguard programs.



## Widen Jamboree Road in the Airport Area





# Widen Jamboree Road in the Airport Area

## DEPARTMENT:

Public Works

## PROJECT LEAD:

Andy Tran, Senior Civil Engineer

## PROJECT START DATE:

January 2005

## TARGET COMPLETION DATE:

Spring 2013

## DESCRIPTION:

This two-phase project involves widening the Jamboree Road Bridge over the SR73 Freeway by 22 feet to the west (Phase 1); and then widening Jamboree Road at the intersection of MacArthur Boulevard between Bristol Street North and Fairchild Road (Phase 2) in an effort to reduce projected traffic congestion and delay.

Phase 1 of the bridge widening project creates one additional northbound and southbound thru lane on Jamboree Road between MacArthur Boulevard and Bristol Street South. This project required developing a design and obtaining approval and a permit from Caltrans for overcrossing the SR73 Freeway which is owned by the state. Additionally, the project required negotiations and purchase of three pieces of private property as well as several Orange County Transportation Authority (OCTA) grant funding applications and successful funding award.

Phase 2 of the Jamboree Road Improvements will provide one additional northbound lane through the MacArthur Boulevard intersection, as well as an additional left turn lane from southbound Jamboree Road onto eastbound MacArthur Boulevard. This phase also involves negotiations and voluntary purchase of three pieces of private property within the City of Irvine, as well as several OCTA grant funding applications and successful funding award.

The City of Irvine is currently administering a separate joint pavement rehabilitation project on Jamboree Road between MacArthur and Campus Construction of this project will start upon completion of both phases.

## FUNDING SOURCE:

Transportation and Circulation, IBC Settlement, Measure M Turnback, and Measure M Competitive

## TOTAL FUNDING REQUIRED FOR PROJECT:

\$9.2 million

## FUNDING ALLOCATED TO DATE:

\$10 million

## AMOUNT SPENT TO DATE:

\$9.1 million

## STATUS TO DATE:

On March 8, 2011, the Jamboree Road Bridge Widening Project (Phase 1) was awarded for construction by City Council. Construction began in May 2011 and is approximately 95% complete with an estimated completion in Summer 2012. The contractor is currently working on final punchlist items.

The construction contract for Phase 2 was awarded by the City Council on September 25, 2012. Construction is underway and is estimated to be complete in February 2013.

